



County Board of Appeals of Baltimore County

OLD COURTHOUSE ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

January 28, 1994

Dr. & Mrs. Melvin N. Kramer
2406 Sugarcone Road
Baltimore, MD 21209

RE: Case No. 93-115-A
Melvin N. Kramer, et ux

Dear Dr. & Mrs. Kramer:

As no further action has been taken since the Amended Order of the Board Pursuant to Joint Request for Remand from the Circuit Court for Baltimore County regarding the subject matter, we have closed the file and returned the Board's copy of same to the Office of Zoning Administration and Development Management. The Zoning Office maintains the permanent file.

Anyone interested in either the file or the exhibits is advised to contact the Zoning Director's office at 887-3353 immediately upon receipt of this letter. By copy of this letter, all parties of record that may have an interest in this file have been notified.

Very truly yours,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Assistant

cc: Howard L. Alderman, Jr., Esquire
Dr. & Mrs. Leon Gordis
Norman Seff -ADKIM Builders, Inc.

IN THE MATTER OF THE APPLICATION * ON REMAND FROM THE
MELVIN N. KRAMER, ET UX FOR A *
FOR A VARIANCE ON PROPERTY * CIRCUIT COURT
LOCATED ON THE NORTH SIDE OF *
SUGARCON ROAD, 462' WEST OF C/L * FOR
OF GREENSPRING AVENUE * BALTIMORE COUNTY
(2406 SUGARCON ROAD) *
3RD ELECTION DISTRICT * CIVIL
2ND COUNCILMANIC DISTRICT * ACTION
MELVIN N. KRAMER - PLAINTIFF * No. 93-CV-06848
ZONING CASE NO. 93-115-A * /58/130

AMENDED ORDER OF THE BOARD PURSUANT TO JOINT
REQUEST FOR REMAND FROM THE CIRCUIT COURT FOR BALTIMORE COUNTY

This case comes before this Board on a Remand Order from the Circuit Court for Baltimore County dated November 2, 1993 for further consideration in light of an agreement reached by the parties.

Upon further consideration of this matter and in light of the Agreement and Declaration of Covenants entered as Appellant's Exhibit 1 and 1a (a copy of which is attached hereto and made a part hereof),

IT IS this 9th day of December, 1993 by the County Board of Appeals of Baltimore County

ORDERED that the Petition for Variance from Section 1B02.3B of the Baltimore County Zoning Regulations be and is hereby GRANTED subject to the Agreement and Declaration of Covenants and Drawing entered as Appellant's Exhibit 1 and 1a and which are hereby incorporated as material parts of this Order.

Any petition for judicial review from this decision must be made in accordance with Rule 7-201 through Rule 7-210 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Hudson H. Lipowitz
Hudson H. Lipowitz, Acting Chairman

S. Diane Levero
S. Diane Levero

MICROFILMED



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

December 9, 1993

Dr. & Mrs. Melvin N. Kramer
2406 Sugarcone Road
Baltimore, MD 21209

RE: Case No. 93-115-A
Circuit Court Civil Action
No. 93-CV-90848 /58 /130
Melvin N. Kramer, et ux

Dear Dr. & Mrs. Kramer:

Enclosed please find a copy of the Amended Order issued this date by the County Board of Appeals of Baltimore County upon remand from the Circuit Court.

Very truly yours,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Assistant

encl

cc: Howard L. Alderman, Jr., Esquire
Dr. & Mrs. Leon Gordis
Norman Seff /ADKIM Builders, Inc.
Honorable Dana M. Levitz
Copy /Circuit Ct File 93-CV-06848
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

MICROFILMED

CIRCUIT COURT FOR BALTIMORE COUNTY
CIVIL CATEGORY

APPEAL 93CV06848 58/130

ATTORNEYS

IN THE MATTER OF
THE APPLICATION OF
MELVIN N. KRAMER ET UX

Melvin N. Kramer
2406 Sugarcone Road
Baltimore, MD 21209
(410) 484-9135

E

Charlotte E. Radcliffe, Legal
Secretary,
Rm. 49 Old Courthouse Basement
400 Washington Ave.
21204 887-3180
Howard L. Alderman, Jr.
Levin & Gann, P.A.
305 West Chesapeake Avenue
Suite 115
21204 321-0600
(atty for Gordis')

COUNTY BOARD OF APPEALS FOR
BALTIMORE COUNTY
DR. AND MRS. LEON GORDIS (Protestants)

of (1) July 30, 1993 - Plaintiff's Order for Appeal from the Decision/Order
of the County Board of Appeals and Exhibits fd. COSTS

PH(2) Aug 13, 1993 Rec'd 8/4/93 Petition, fd. CIVIL

Aug. 26, 1993 Answer of Protestants to petition of Appeal CIVIL
fd. (rec'd 8-16-93) #4910 000

Oct. 7, 1993 Appellant's Motion for extension of time to file
transcript and order to show cause for a 60 day extension, fd. (JGT, II)

Oct. 7, 1993 County Board of Appeals's answer to petition
for judicial review, fd. (rec'd Sept. 28, 1993)

Nov 5, 1993 Joint request and order of Court remanding case to the
County Board of Appeals of Baltimore County for further consideration,
fd. (DML)

93 NOV 9 PM 2:16

Docket 58 Page 130 Case 93CV 06848

93 NOV -2 PM 2:37

IN THE MATTER OF
THE APPLICATION OF
MELVIN N. KRAMER ET UX *
2406 SUGARCON ROAD * CIRCUIT COURT
462' WEST OF C/L OF GREENSPRING *
AVENUE (2406 SUGARCON ROAD) * FOR
3RD ELECTION DISTRICT * BALTIMORE COUNTY 58/130/93CV06848
2ND COUNCILMANIC DISTRICT *

JOINT REQUEST TO REMAND TO THE COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Appellant Melvin N. Kramer, hereby moves that the Circuit Court for Baltimore County remand this issue back to the County Board of Appeals of Baltimore County since the Respondents in the initial hearing have come to terms in the form of an Agreement and Declaration of Covenants with the Petitioners, who, in this matter, are now the Appellants.

This request is being made by all parties who have affixed their signatures, properly witnessed and notarized, testifying to the Honorable Court that an Agreement has been reached, which we feel not only is acceptable to the parties, but now, with the issues of controversy resolved, that the requested variance will be granted by the County Board of Appeals of Baltimore County with the conditions and restrictions as stated in the Agreement and Declaration of Covenants.

MICROFILMED

In testimony of these facts and in witness thereof, the parties (the former Petitioners, now the Appellants, and the former Respondents, now the Protestants) (by their attorney of record) delivered this Motion under their hands and seals this 22nd day of October, 1993.

WITNESS/ATTEST:

APPELLANTS:

Melvin N. Kramer (SEAL)
MELVIN N. KRAMER

Debbie G. Kramer (SEAL)
DEBBIE G. KRAMER

COUNSEL FOR APPELLANTS:

Howard L. Alderman, Jr. (SEAL)
HOWARD L. ALDERMAN, JR., ESQUIRE

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 22nd day of October, 1993, before me, the subscriber, a Notary Public of the State of Maryland, City of Baltimore, personally appeared MELVIN N. KRAMER and DEBBIE G. KRAMER and they acknowledged the foregoing JOINT REQUEST TO REMAND TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY to be their act and deed.

AS WITNESS my hand and Notarial Seal.

My Commission Expires 3/2/95

Notary Public
Notary Public



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of October 1993, a copy of the foregoing JOINT REQUEST TO REMAND TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY was hand delivered to the County Board of Appeals, of Baltimore County, Old Courthouse, Room 49, 400 Washington Avenue, Towson, Maryland 21204.

Melvin N. Kramer
2406 Sugarcone Road
Baltimore, MD 21209
(410) 484-9135

Appellant

IN THE MATTER OF *
THE APPLICATION OF *
MELVIN N. KRAMER ET UX * CIRCUIT COURT
2406 SUGARCON ROAD *
462' WEST OF C/L OF GREENSPRING * FOR
AVENUE (2406 SUGARCON ROAD) * BALTIMORE COUNTY 58/130/93CV06848
3RD ELECTION DISTRICT *
2ND COUNCILMANIC DISTRICT *

ORDER

AFTER DUE CONSIDERATION OF THE JOINT REQUEST TO REMAND TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY FILED BY MELVIN N. KRAMER ET UX, 2406 SUGARCON ROAD, 462' WEST OF C/L OF GREENSPRING AVENUE (2406 SUGARCON ROAD), 3RD ELECTION DISTRICT, 2ND COUNCILMANIC DISTRICT, IT IS HEREBY ORDERED THAT:

CASE #58/130/93CV06848 IS HEREBY REMANDED TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY FOR FURTHER CONSIDERATION IN LIGHT OF THE AGREEMENT BY THE PARTIES.

JUDGE

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Dr. Melvin N. Kramer, 2406 Sugarcane Road, Baltimore, Maryland 21209, Plaintiff, Norman Seff - ADKIM Builders, Inc., 1221 Greenwood Road, Baltimore, Maryland 21208, Defendant, and Michael B. Sauer, Esquire, c/o County Board of Appeals, 2000 E. Towson Avenue, Towson, Maryland 21204, Attorney for Protestants, Dr. & Mrs. Leon Gordis, 2408 Sugarcane Road, Baltimore, Maryland 21208, Protestants, Michael B. Sauer, Esquire, c/o County Board of Appeals, 2000 E. Towson Avenue, Towson, Maryland 21204, on this 5th day of August, 1993.

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Howard L. Alderman, Jr., Esquire
LEVIN & GANN
305 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Alderman:

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

Charlotte E. Radcliffe
Legal Secretary

Enclosure

CC: Norman Seff - ADKIM Builders
Dr. & Mrs. Leon Gordis
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
Docket Clerk - Zoning



OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Dr. Melvin N. Kramer
2406 Sugarcone Road
Baltimore, MD 21209

RE: Case No. 93-115-A
MELVIN N. KRAMER

Dear Dr. Kramer:

In accordance with Rule B-7(a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the appeal which you have taken to the Circuit Court for Baltimore County in the above-entitled matter within sixty days.

The cost of the transcript of the record must be paid by you. In addition, all costs incurred for certified copies of other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not later than sixty days from the date of any petition you file in Court, in accordance with Rule B-7(a).

Enclosed is a copy of the Certificate of Notice which has been filed in the Circuit Court.

Very truly yours,

Charlotte E. Radcliffe
Legal Secretary

Enclosure

2

In that Opinion, which was appealed before the County Board of Appeals of Baltimore County, the deficits were stated in terms of the issues by the Protestants that insufficient evidence was presented to show that we, the Petitioners, would experience practical difficulty or unreasonable hardship if the variance was denied. Furthermore, it was the Opinion of the Deputy Zoning Commissioner that the size and extent of the proposed addition could only exacerbate an existing water problem on the Protestants' property with no expert testimony to illustrate from a factual perspective this would be the case or if amelioration could be obtained without intrusion or permission onto the Protestants' property. It was concluded that, by granting the variance, there would be a detrimental effect on the community and, particularly, to Dr. and Mrs. Leon Jordis, who own the adjoining property.

At the June 1, 1993, Hearing before the County Board of Appeals of Baltimore County, two experts were admitted by the Board to render their expert testimony on two issues that were addressed before the Deputy Zoning Commissioner, albeit only one was addressed in his formal written Opinion. Mr. Paul Cooper of Alex Cooper and Company, who testified as an expert residential appraiser, unequivocally stated that there would be no reduction in the value of the Protestants' property, which was an issue at the December 1st hearing and, further, gave evidence that communities in the same ZIP code and even subdivisions within one mile of the subject property had the same or less of an actual building-to-building distance than would be present if the variance were granted. The property values of these properties were equal to or significantly greater than the Greengate homes which are appraised anywhere from \$200,000 to \$280,000 according to his review and expert testimony. As an example, Mr. Cooper

2

sited the Summit Chase community, which is approximately one mile from the Greengate community, where homes are selling at approximately \$200,000-\$300,000 and are physically located within 27 feet of each other. Mr. Cooper, on cross-examination, stated that the addition would enhance the value of each house because they would add utility to each home, that is assuming that we would be granted permission to build the addition on our property and the Protestants would add a similar addition (which has never been applied for) to their property.

To address the Deputy Zoning Commissioner's concern over the issue of a water problem, the County Board of Appeals of Baltimore County accepted Mr. Rick Kingsbury of the firm of Ashen & Allen as an expert in landscape architecture and grading by virtue of his education, training, experience and licensure/registration with and by the State of Maryland. Mr. Kingsbury testified that there were problems due to the topography and grading of both properties and that, in effect, the addition would not exacerbate the drainage problems on the Gordises' property if recommendations for terracing and the placement of certain drainage systems on our property were put into place. All of his recommendations were agreed upon and can be done without going onto or intruding upon the Gordises' property. Furthermore, Mr. Kingsbury stated that the Gordises' downspouts could be redirected, which would also alleviate some of their problems.

The general contractor, Mr. Norman Seff of Adkim Builders, testified that he was confident that he and his company could construct the drainage system according to Mr. Kingsbury's recommendations and, if necessary, supervision.

All three witnesses, plus the undersigned Petitioner (who has testified and reviewed numerous plans for zoning boards and boards of adjustment as a municipal health officer), testified that there would, in fact, be no detriment, harm or adverse change in the health, safety or well-being of the community in general or the Gordises in particular. It is interesting to note that Dr. Leon Gordis, co-owner of the Protestants' property, is the outgoing Chairman of the Department of Epidemiology of The Johns Hopkins School of Hygiene and Public Health. However, when invited to opine on this matter from a professional perspective, Dr. Gordis refused, citing that he was an expert in epidemiology, rather than public health, and was, therefore, not qualified to opine as to whether there would be an adverse effect to the public's health, welfare, or safety.

Recognizing that this is most important in meeting Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974), we do believe we have proven through expert testimony that, if relief were granted, the public health and safety would be secured.

In their Opinion the County Board of Appeals of Baltimore County stated: "The only 'hardships' he cited were ones created by the growth of his family, which were therefore self-created." In all due respect, this statement is offensive in that I dare to state that the County of Baltimore, State of Maryland, or for that matter the Government of the United States of America would not state to any citizen, whether taxpayer or welfare mother, that having two additional children is a "hardship." We do not consider this at all as a hardship, but as a blessing.

We do not consider this at all as a hardship, but as a blessing.

The hardship that was stated here is not the fact that we have been blessed with three children, but rather that the configuration of the dwelling and the space of the dwelling does not allow for enough bathroom facilities for three children to get ready for school in the morning with all of the amenities required utilizing one bathroom in the family suite area of the house. Concurrently, one other bathroom of the house is being utilized by the parents, who also must be prepared to go to work, leaving one-and-a-half baths potentially vacant. The half bathroom is not set up for nor situated or large enough to permit supervision of the children during this "crunch" period of time prior to school nor is the bathroom located in the lower level where the children are afraid to go alone and, therefore, unsupervised.

It is, therefore, imperative to relieve our unreasonable hardship to be able to create another bathroom in the family suite area, thereby necessitating the realignment of the existing space and the expansion out of the westerly side of the dwelling. Furthermore, the master bedroom has inadequate closet and bathroom space. In this proposal we would be able to realign the bedroom area to maximize bathroom and bedroom space to meet both present and any future potential needs, including the addition to our family of another child or the eventual necessity for us to house an aging parent.

In the Opinion which was issued on July 1, 1993, the Board was in error to state that it is not a hardship for three children to share a bathroom as it is a practical difficulty and unreasonable hardship for them to do so. The application for the 5 foot setback was the minimum relief necessary and a lesser setback would not give reasonable relief. That is why a 12-foot addition and not a 14-foot addition was requested.

6

There is no question from this Opinion that the weight of the Protestants' testimony as to how they view their property and the enjoyment of their property was more seriously considered than our aforementioned hardship. Dr. Jordis testified that he and his wife were considering building a sunroom on the east side of their property which faces the west side of our property where the proposed addition would be. There is serious question whether this statement, couched as it was, was truthful since days after the hearing the Gordises purchased another house and their house was placed on the Market and advertised for sale, complete with a sign posted by Prudential Real Estate Company.

It is, therefore, our position that we are still seeking the construction of a 10-foot addition on the west side of the property, requiring a 10-foot variance. It is our position that the County Board of Appeals for Baltimore County erred in not recognizing the legitimate undue hardship that the failure to grant this Petition has and will mean to us as well to recognize that there will be no adverse effect to the health, safety or welfare of the community or to the Protestants, the Gordises.

•

Melvin N. Kramer

I HEREBY CERTIFY that on this 4th day of August 1993, a copy of the foregoing PETITION was hand delivered to the County Board of Appeals, of Baltimore County, Old Courthouse, Room 49, 400 Washington Avenue, Towson, Maryland 21204, and mailed, first class mail, postage prepaid, to Dr. and Mrs. Leon Gordis, Protestants, 2408 Sugarcone Road, Baltimore, MD 21209, and to Howard L. Aldeman, Jr., Esq., Counsel for Dr. and Mrs. Leon Gordis, Protestants, 305 W. Chesapeake Avenue, Towson, MD 21204.

Petitioner

ORDER

JUDGE

I HEREBY CERTIFY that on this 30 day of July, 1993, a copy of the foregoing ORDER FOR APPEAL was hand delivered to the County Board of Appeals, of Baltimore County, Old Courthouse, Room 49, 400 Washington Avenue, Towson, Maryland 21204, and mailed, first class mail, postage paid, to Dr. and Mrs. Leon Gordis, Protestants, 2409 Spotswood Road, Baltimore, MD 21209, and to Howard L. Alderman, Jr., Esq., Counsel for Dr. and Mrs. Leon Gordis, Protestants, 305 W. Chesapeake Avenue, Towson, MD 21204.

Petitioner

CIRCUIT COURT

BALTIMORE COUNTY

AFTER DUE CONSIDERATION OF THE APPLICATION FOR APPEAL BY MELVIN N. KRAMER ET UX, 2406 SUGARCONE ROAD, 462' WEST OF C/L OF GREENSPRING AVENUE (2406 SUGARCONE ROAD), 3RD ELECTION DISTRICT, 2ND COUNCILMATIC DISTRICT, IT IS HEREBY ORDERED THIS _____ DAY OF _____ THAT THE CIRCUIT COURT FOR BALTIMORE COUNTY WILL HEAR THIS APPEAL FROM THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY.

JUDGE

NOTICE FOR FILING ORDER FOR APPEAL

PURSUANT TO RULE 1-321, A COPY OF THIS ORDER FOR APPEAL WAS HAND
DELIVERED AND SERVED UPON THE COUNTY BOARD OF APPEALS OF BALTIMORE
COUNTY.

Melvin N. Kramer

ENTRY OF APPEARANCE

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demillo
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-2188

Peter Max Zimmermar

IN THE MATTER OF
THE APPLICATION OF
MELVIN R. KRAMER, ET UX
FOR A VARIANCE ON PROPERTY
LOCATED ON THE NORTH SIDE OF
SUGARCONE ROAD, 462' WEST OF C/L
OF GREENSPRING AVENUE
(2406 SUGARCONE ROAD)
3RD ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 93-115-A

RULING ON APPELLANTS' MOTIONS TO RECONSIDER

Upon this Board's review and consideration of the two Motions to Reconsider filed by Appellants in the above-captioned case and the Response in opposition thereto filed by Appellees,

IT IS HEREBY this 20th day of July, 1993 by the County Board of Appeals of Baltimore County ORDERED that

1. Appellants' request for a hearing on their motions is hereby DENIED; and
2. Appellants' Motions to Reconsider are hereby DENIED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Judson H. Lipowitz
Judson H. Lipowitz, Acting Chairman

John G. Disney
John G. Disney

S. Diane Levero
S. Diane Levero



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

July 20, 1993

Dr. & Mrs. Melvin N. Kramer
2406 Sugarcone Road
Baltimore, MD 21209

RE: Case No. 93-115-A
Melvin N. Kramer, et ux

Dear Dr. & Mrs. Kramer:

Enclosed please find a copy of the Board's Ruling on Appellants' Motions to Reconsider issued this date by the County Board of Appeals in the subject matter.

Very truly yours,

Charlotte E. Radcliffe
Charlotte E. Radcliffe
Legal Secretary

encl

cc: Howard L. Alderman, Jr., Esquire
Dr. & Mrs. Leon Gordis

IN THE MATTER OF THE APPLICATION
OF MELVIN R. KRAMER ET UX FOR A
VARIANCE ON PROPERTY LOCATED ON THE
NORTH SIDE OF SUGARCONE ROAD, 462'
WEST OF C/L OF GREENSPRING AVENUE
(2406 SUGARCONE ROAD)
3rd ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT

BEFORE THE

COUNTY BOARD

OF APPEALS FOR

BALTIMORE COUNTY

Case No.: 93-115-A

RECEIVED
COUNTY BOARD OF APPEALS
93 JUL -6 PM 3:34

APPELLEES' RESPONSE TO MOTION FOR RECONSIDERATION

Dr. and Mrs. Leon Gordis, Appellee's in the above-captioned matter, by and through their undersigned legal counsel, file this Response in opposition to Appellants' Motion to Reconsider [sic] and state further that:

1. Melvin R. Kramer, et ux ("Appellants") had a full and complete opportunity at the hearing held by this Board to present and introduce evidence, examine witness (both in support and opposition of Appellants' request), to call both expert and lay witnesses in support of their request, and to testify in support of the relief that Appellants' were seeking.
2. Appellants, as the master of their own case, had ample opportunity at the Board's hearing to introduce all evidence relevant to their request.
3. Appellants completed their case and rested on the record prior to the start of Appellees' case in opposition to the zoning variance relief sought by Appellants.
4. Subsequent to this Board's July 1, 1993 decision to grant in part and deny in part Appellants' requested relief, Appellants have purported to file two (2) separate motions to reconsider [sic].
5. Appellants suggest, in the first purported Motion to Reconsider [sic], that their

failure to meet the minimum legal requirements justifying a variance from the Baltimore County Zoning Regulations was based, in part, on Appellees' "lack of appropriate cross-examination". The failure of Appellees to prove the burden legally placed on Appellant in seeking its extraordinary relief is no basis for further consideration of this matter.

6. Appellants, after having concluded their case in chief, now seek a rehearing of the issues before this Board to enable them to present additional evidence which they should have introduced at the previous hearing held, there is not so much as a suggestion that Appellants' request is based on the legal standards governing the introduction of post-decision evidence.

7. Appellants, in their motions filed with this Board, attempt to enter additional evidence in the record of this matter, which evidence contradicts that presented at the hearing held.

8. Appellants attempted to call and qualify Dr. Leon Gordis as their expert witness. Dr. Gordis was appearing in his capacity as a property owner, a taxpayer, and a party aggrieved by the relief sought by Appellants. Dr. Gordis properly objected to being called as an expert by Appellants in that he appeared in opposition to Appellants' request, he was never retained by or compensated as an expert by Appellants, and any such appearance would have, therefore, created an ethical conflict of interest for Dr. Gordis.

9. The relief sought on motion by Appellants i.e. to show why Appellants completely failed to introduce any "floor plans" and why the relief sought is "the minimum relief necessary" should be denied. If this Board were to reopen the proceedings in this case for the frivolous reasons stated by Appellants there will never be an end to hearings held. In nearly every decision, one side or the other will be displeased with the decision of the Board and will request

Page 2

a further hearing to clarify and introduce evidence to support its position

10. There is no authority for this Board to reopen the hearing on the merits of Appellants' initial request after a final order has been entered. The Board has revisory power only in the event of fraud, mistake or irregularity.

11. As the appellate courts of this State have noted, there must be a finality to the fact-finding process. *Maryland State Police v. John M. Ziegler*, 85 Md App 272 (1991). In the *Ziegler* case the administrative agency reopened an evidentiary hearing during deliberations and before a final decision was made. The Court of Special Appeals of Maryland held that the reopening of the case was legal error, finding that the fact-finding process must end at some point. That holding is even more poignant in the Board's consideration of Appellants' motion since a final decision and order has been entered.

12. With respect to the second "Motion to Reconsider" [sic] filed with this Board by Appellants on or about July 7, 1993, that pleading fails to establish any newly discovered, legally credible evidence that might justify that the variance sought by Appellants is the minimum relief necessary. Appellees deny that Baltimore County has a policy to "grant such variances routinely" or that there is any legal authority for the new request by Appellants for a "conditional variance". The varied attack on the veracity of Dr. Gordis [which very well may be actionable] should be ignored as it is irrelevant to the issues before this Board.

13. Appellees have credible responses to the bald and legally unsupported post-hearing assertions of Appellants, however, since such matters are irrelevant to the legal issues before this Board the Appellees will merely deny the assertions without further argument.

14. The July 1, 1993 decision of this Board is FINAL. If Appellants are dissatisfied

Page 3

with the order of this Board, their right of appeal has not been infringed or otherwise impaired. An ample opportunity to make a full and complete record was afforded Appellants. Neither Appellees nor this Board should be required to endure Appellants' efforts (which may be endless) to continually attempt to add further irrelevant evidence in support of its request which can not be justified as a matter of applicable law.

WHEREFORE, Appellees respectfully request that this Board:

- A. DENY Appellants' Motion to Reconsider [sic] this Board's sound and legally reasoned decision in this case;
- B. DENY Appellants' request for a hearing on their motion; and
- C. GRANT to Appellees such further relief as the nature of this case may require.

Howard L. Alderman, Jr.
Howard L. Alderman, Jr.
LEVIN & GANN, P.A.
305 West Chesapeake Avenue
Suite 113
Towson, MD 21204
(410) 321-0600
Attorney for Appellees

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of July, 1993, a copy of the foregoing Appellees' Response to Motion for Reconsideration was mailed via First Class, United States Mail to Dr. and Mrs. Leon Gordis, 2408 Sugarcone Road, Baltimore, Maryland 21209, and to Mr. and Mrs. Melvin N. Kramer, 2406 Sugarcone Road, Baltimore, Maryland 21209.

Howard L. Alderman, Jr.
Howard L. Alderman, Jr.

Page 4

IN THE MATTER OF THE APPLICATION
OF MELVIN R. KRAMER ET UX FOR A
VARIANCE ON PROPERTY LOCATED ON THE
NORTH SIDE OF SUGARCONE ROAD, 462'
WEST OF C/L OF GREENSPRING AVENUE
(2406 SUGARCONE ROAD)
3rd ELECTION DISTRICT
2nd COUNCILMANIC DISTRICT

BEFORE THE

COUNTY BOARD

OF APPEALS FOR

BALTIMORE COUNTY

Case No.: 93-115-A

ORDER

Upon consideration of the two Motions to Reconsider filed by Appellants in the above-captioned case and the Response in opposition thereto filed by Appellees, it is this _____ day of July, 1993 ORDERED by the County Board of Appeals for Baltimore County that:

1. Appellants' request for a hearing on their motions is hereby DENIED; and
2. Appellants' Motions for Reconsideration are hereby DENIED with prejudice.

IN THE MATTER OF
THE APPLICATION OF
MELVIN R. KRAMER ET UX
FOR A VARIANCE ON PROPERTY
LOCATED ON THE NORTH SIDE OF
SUGARCONE ROAD, 462' WEST OF C/L OF GREENSPRING
AVENUE (2406 SUGARCONE ROAD)
3RD ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 93-115-A

RECEIVED
COUNTY BOARD OF APPEALS
93 JUL -6 AM 11:00

MOTION TO RECONSIDER

Pursuant to Rule 10 of the Revisory Power of the Board of Appeals of Baltimore County we do hereby request the scheduling by the Board to hear brief arguments on this Motion. On July 1, 1993, we were denied a zoning variance which would have permitted a setback of 5 feet in lieu of 15 feet for a proposed addition to the property at 2406 Sugarcone Road. We have new information since drafting our July 2, 1993 request to the Board that further merits the Board's attention.

Enclosed please find a copy of an ad from the real estate section of the Baltimore Jewish Times, dated July 2, 1993, as well as one dated June 25, 1993, which shows that the Gordis house at 2408 Sugarcone Road is up for sale. In fact, not only is their home for sale, but Dr. and Mrs. Gordis have confirmed to me, both personally and through another source, that they have purchased another dwelling in the Stevenson section of Baltimore County. If the Board of Appeals had been informed of these facts and plans, it would have given less weight to the protests of the Gordises. Their contractual commitment to move should also place in question the continuing truthfulness of Dr. Gordis' testimony to the Board in reference to their intentions for an "addition" to their side of their house (a "sun room").

2

I believe that this strengthens our request in our initial Motion to Reconsider which was hand delivered to the Board Office on July 2, 1993.

Furthermore, since it is the policy of the County to grant such variances routinely, if there is no objection from adjoining properties, we would accept a conditional approval from the Board of our request; whereby a zoning variance would be granted permitting a setback of 5 feet in lieu of 15 feet for a proposed addition to our property at 2406 Sugarcone Road conditional to the sale and vacating of the property at 2408 Sugarcone Road by Dr. and Mrs. Gordis. This we feel is both just and equitable to both Dr. and Mrs. Gordis, as well as us, and is in keeping with County policy on such matters. This would also be cost effective for all parties, including the County of Baltimore.

Melvin N. Kramer

Melvin N. Kramer

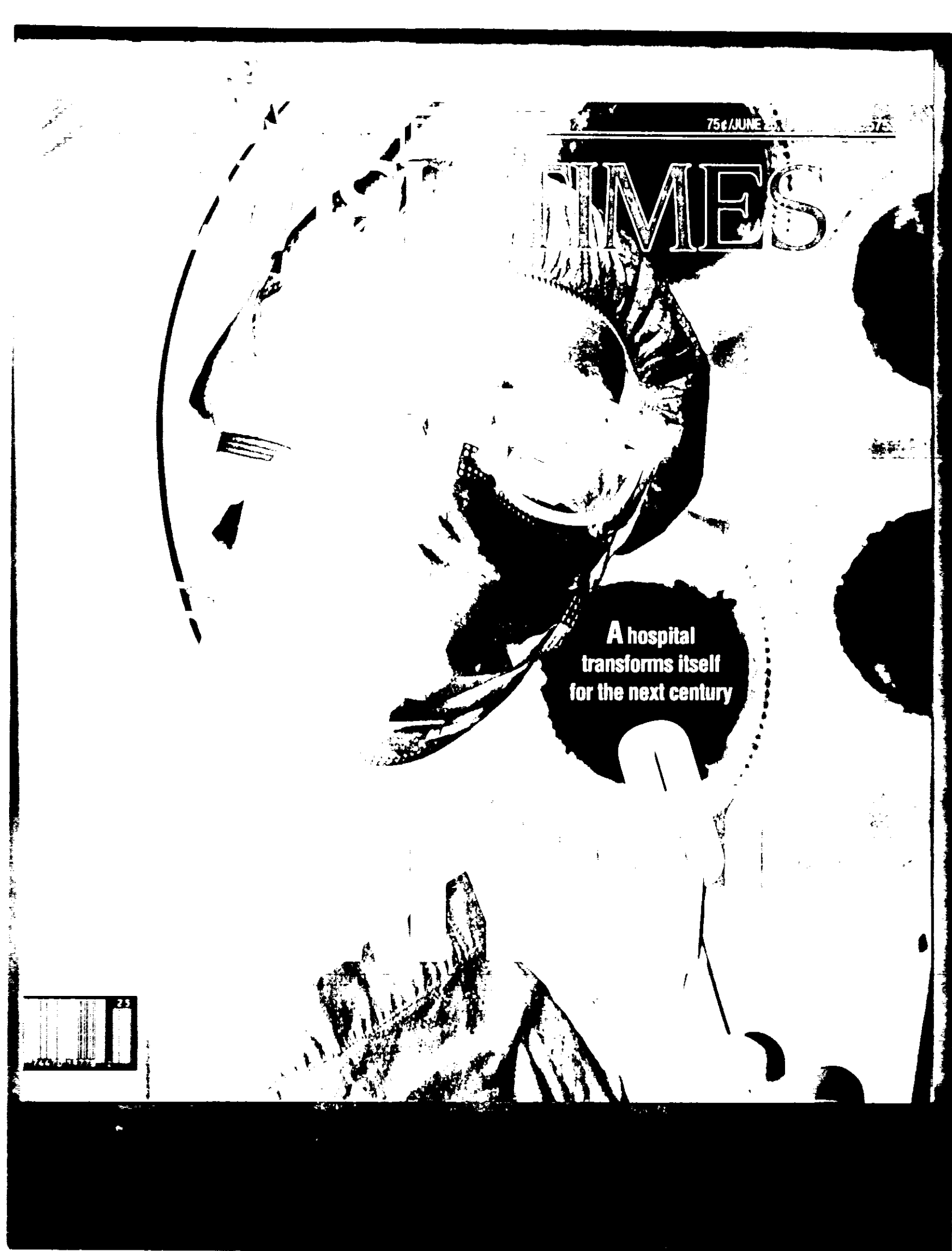
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6 day of July, 1993, a copy of the foregoing Motion to Reconsider was mailed, first class mail, postage prepaid, to Dr. and Mrs. Leon Gordis, Protestants, 2408 Sugarcone Road, Baltimore, MD 21209, and to Howard L. Alderman, Jr., Esq., Counsel for Dr. and Mrs. Leon Gordis, Protestants, 305 W. Chesapeake Avenue, Towson, MD 21204.

Melvin N. Kramer

Melvin N. Kramer
2406 Sugarcone Road
Baltimore, MD 21209
(410) 484-9135

Petitioner



The Prudential You know us. We know real estate.
Preferred Properties #1 Office in Mid-Atlantic Region

ATTITUDE The best way to measure a listing is by the attitude of the agent. Call Mitchell Posner 350-4510.

PICKESVILLE BEDFORD COMMONS A beautiful 2BR, 2BA condo, mid level, balcony, includes all appliances. \$179,900. Call Rev Margolis 484-1685.

NEW LISTING - COUNTRY LIVING, CITY CONVENIENCE Call Mitchell Posner 350-4510.

REAL ESTATE CLASS NOW FORMING THE PREFERRED INSTITUTE OF REAL ESTATE. July 10-July 28. Mon/Wed 6:00 am - 10:00 pm. Sat 8:30 am - 4:30 pm. Contact Joan Solomon, Sales Manager 484-9000.

THE ULTIMATE REAL ESTATE TEAM Stan Janofsky 484-1343.

NEW LISTING GARRISON WOODS The most gorgeous EOG & loaded with extras!! Deck, overlooks private wooded lot, MB w/soft & mirrored closets, wet bar in kitchen, all neutral. Fabulous home. Fabulous Price - For the buyer who wants everything. Rev Margolis 484-1685.

OPEN SUNDAY 1-3 6730 CHOKEBERRY RD. Two additions in all oak makes this house special w/old flrs, FP, 1st flr lam rm, as well as large finished LL - skylights, brickst rm. Call Pam Brown 363-1851 or 484-9000.

OWNER'S SALE/NEW LISTING Village of Queen Anne Convertible, 1000 Sq. Ft. 2 BRs, hardwood floors with neutral decor. Finished lower level. New fence. Move in condition! 363-7926. Patti Spigel 526-7676.

OWNER'S SALE MEADOWOOD COUNTY 2-400 2 1/2 BR split w/ large family room, finished lower level, large lot on quiet coast. More in condition. 484-5377.

OWNER'S SALE GREENSPRING EAST - BARGAIN Relaxed traditional Colonial style. 3 BRs, 2 1/2 BA, 2nd floor, large lot on quiet coast. More in condition. 484-5377.

ALSO... HE TALKS HIMSELF OUT OF A PAID JOB

IN

Serious

For Maryland athletes, the Maccabiah Games transcend sport

The Prudential You know us. We know real estate.
Preferred Properties #1 Office in Mid-Atlantic Region

DYNAMITE RATES & AGENTS Patti Spigel 526-7676

EVA KATZNELSON, GRI Life Member Real Estate Million Dollar Association, Ltd.

TWO OF MEADOWOOD'S FINEST Both Drastically Reduced! 2405 Willow Glen Drive 2403 Shellydale Drive

REAL ESTATE CLASS NOW FORMING THE PREFERRED INSTITUTE OF REAL ESTATE. July 10-July 28. Mon/Wed 6:00 pm - 10:00 pm. Sat 8:30 am - 4:30 pm. Contact Joan Solomon, Sales Manager 484-9000.

130 SLADE AVE. UNIT 609 Ease of Living - This 1BR, 1BA newly decorated condo offers 24 hour security, doorman, and steps in the building. Truly beautiful, convenient & low expense than renting. MORTON GOLDNER 653-1180

Be a Good Neighbor Support Meals on Wheels

RECEIVED
COUNTY BOARD OF APPEALS
93 JUL -2 PM 12:42

IN THE MATTER OF
THE APPLICATION OF
MELVIN N. KRAMER ET UX
FOR A VARIANCE ON PROPERTY
LOCATED ON THE NORTH SIDE OF
SUGARCONE ROAD
462' WEST OF C/L OF GREENSPRING
AVENUE (2406 SUGARCONE ROAD)
3RD ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 93-115-A

MOTION TO RECONSIDER

Although it is our intention at this juncture to consider an Appeal of the Order denying a zoning variance which would have permitted a setback of 5 feet in lieu of 15 feet for a proposed addition to the property at 2406 Sugarcone Road, we would first request a Motion to Reconsider pursuant to Rule 10 of the Revisory Power of the Board of Appeals of Baltimore County and do hereby request the scheduling by the Board to hear brief arguments on this Motion.

There is no question that the statement of facts, as set forth in the testimony of the experts, Mr. Paul Cooper and Mr. Richard Kingsbury, were well understood by the Board, as intended. Mr. Norman Seff's testimony and the lack of appropriate cross-examination left the Board, I believe, with a gaping hole and justifiable question as to why no plans were submitted into evidence as well as the issue as to whether or not the requested variance of 5 feet in lieu of 15 feet was the minimum necessary or whether a lesser relaxation of the setback requirements would give substantial relief. The Board indicated that it had no idea

2

what the minimum relief would be for an additional bath, the expansion of the bedroom and an additional bedroom. Since these are the reasons that the Board denied the variance, claiming that we, the Petitioners, have not met the legal requirements for the variance, we strongly believe that these points can be clarified during a brief hearing arguing these issues.

Conversely, the mere thought process that the Gordises felt twenty years ago when they purchased their house based on the space between the houses should not be an overwhelming consideration and is, in our opinion, been given extraordinary weight. Clearly, even if the Gordises were to build a sunroom (which Dr. Gordis testified was purely something that had been discussed in passing, and no plans, no contractors or any other preparatory actions were taken along these lines), the distances between the houses, given their 10-foot addition along with our proposed addition, would not be dissimilar to other houses on both sides of Sugarcone Road and, as testified by Mr. Cooper, an expert real estate appraiser, there are within a mile to several miles of Sugarcone Road developments whereby the houses are even closer and the property values are significantly higher.

We take issue with the Board's characterization that the only hardships cited were ones created by the growth of our family, which were, therefore, "self-created." No one can argue the biological facts of how families grow. However, in this day and age of family values, having three children, as the Gordises do, is not something that I believe we should be penalized in the process because we chose to have three children rather than one child, as was the case when we moved into

this property. I believe there is an issue of comparative hardship when one looks at one's standard of living. As a public health practitioner with significant experience in housing, as well as planning and zoning, one certainly can point to the fact that a significant portion of the population of our County, our State and our nation lives in substandard housing wherein greater hardship may occur. However, for this family, the hardship that has been outlined is genuine and real and should not be given a cursory glance because we had one child when we purchased the house and now have three children. The plain facts are that having three children sharing one bathroom, particularly in the morning and evening, is a significant burden despite having other toilet facilities located elsewhere in the house. When supervision and assistance during these periods of time is so critical in getting everyone, including the children, up and out on a tight time schedule is indeed a significant hardship to us.

Even though Dr. Gordis holds both a doctorate in public health as well as a degree as a medical doctor and is full professor and chairman of the Department of Epidemiology at The Johns Hopkins University School of Hygiene and Public Health, he refused to categorize himself or be admitted as an expert in public health issues, which by its very nature one could challenge as being on the verge of perjury. Dr. Gordis, although the outgoing Chairman of the Department of Epidemiology, clearly has had a distinguished career in public health and is widely recognized as an expert, serving on numerous National Institute of Health and National Science Foundation committees, task forces and advisory boards in which his expertise in public health is a vital requisite.


Furthermore, Dr. Gordis has performed considerable consulting and teaching in the areas of public health on an international basis. Therefore, his refusal to be characterized as an expert is not only misleading to the Board, but also shows me that he cannot, in good faith, as an expert, rather than a lay person, state that there would be any injury to the public's health, safety or welfare by the Board's granting our request. This fact does meet our burden of the quintessential Maryland Appellate decision not to adversely affect the health, safety or welfare of others if our Petition is granted.

Conversely, the water problem that exists on the Gordises' property, partially due to the topographical nature of their property as well as the manner by which they choose to have their downspouts flush water collected by their leaders and gutters onto their property and partially due to the topographical features of our property, which does swale some of the water onto their property, would be substantially reduced by allowing us to build the addition. This was brought out by through the testimony of Mr. Richard Kingsbury, a licensed landscape architect in the State of Maryland and whose expertise was accepted by the Board.

It is our desire that, on closer examination of the points initially raised in this Motion to Reconsider, that the Board will alter their opinion and save us and the Gordises the financial burden of a full Appeal to the Circuit Court and/or other remedies which are available to us, if it should be necessary to pursue those options.

I would like to take this opportunity to thank the honorable County Board of Appeals for hearing this case, processing this information, and giving us the opportunity to present a brief argument and addressing the


issues, which I believe can be conducted within an hour vis-a-vis why there were no floor plans, as well as whether the requested variance of 5 feet in lieu of 15 feet was the minimum necessary or whether a lesser relaxation of the setback requirements would give substantial relief.


Melvin N. Kramer

cc: Dr. and Mrs. Leon Gordis
Howard L. Alderman, Jr., Esq.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2 day of July, 1993, a copy of the foregoing Motion to Reconsider was mailed, first class mail, postage prepaid, to Dr. and Mrs. Leon Gordis, Protestants, 2408 Sugarcone Road, Baltimore, MD, 21209, and to Howard L. Alderman, Jr., Esq., Counsel for Dr. and Mrs. Leon Gordis, Protestants, 305 W. Chesapeake Avenue, Towson, MD 21204.


Melvin N. Kramer
3406 Sugarcone Road
Baltimore, MD 21209
(410) 484-9135

Petitioner

IN THE MATTER OF
THE APPLICATION OF
MELVIN N. KRAMER, ET AL
FOR A VARIANCE ON PROPERTY
LOCATED ON THE NORTH SIDE OF
SUGARCONE ROAD
462 WEST OF C/O OF GREENSPRING
AVENUE (2406 SUGARCONE ROAD)
3RD ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

BEFORE THE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

CASE NO. 93-115-A

OPINION

This matter comes to the Board on appeal from the decision of the Deputy Zoning Commissioner dated December 17, 1992, denying in part and granting in part with restrictions a Petition for Variance. The Petitioner herein requests a variance from Section 1B02.3.B of the Baltimore County Zoning Regulations (BCZR) to permit a west side yard setback of 5 feet in lieu of the required 15 feet for a proposed addition.

The Deputy Zoning Commissioner granted the Petitioner's request for an east side yard setback of 14.5 feet in lieu of the required 15 feet to legitimize the location of the existing dwelling, but denied his request for the west side yard setback.

The Petitioner represented himself and presented as witnesses Paul R. Cooper, of Alex Cooper Auctioneers; Richard Kingsbury, of Anshen & Allen landscape architects; and Norman Seff, with ADKIM Builders.

The Protestants, Dr. and Mrs. Leon Gordis, were represented by Howard L. Alderman, Jr., Esquire.

Testimony and evidence indicated that the subject property, known as 2406 Sugarcone Road, consists of .48 acres, more or less, zoned D.R. 2 and is improved with a single family dwelling and in-ground swimming pool. The Petitioner wants to construct a 12-foot addition on the west side of the subject property, extending to approximately 5 feet from the adjoining property line with the Gordis property. The proposed addition would reduce the 42-foot space between the two dwellings to 30 feet.

Mr. Cooper, who testified as an expert residential appraiser, testified that he measured the distance between the Petitioner's home and the neighboring dwelling on the east side, as well as the distance between the houses at 2405 and 2407 Sugarcone Road and the distance

Case No. 93-115-A Melvin N. Kramer, et al

between the houses at 2407 and 2409 Sugarcone Road, and in each case the distance was 30 feet. He testified that in the Summit-Chase community, about 1 mile from the community of Greengate, in which the subject property is located, homes that sell for \$200,000 to \$300,000 are located within 27 feet of each other. He testified that Summit-Chase is a comparable community to Greengate, where the prices of homes range from \$200,000 to \$280,000.

Mr. Cooper testified that in his opinion there would not be any adverse financial impact on neighboring properties, nor would there be any adverse effect on the public health, safety or general welfare if the variance were granted.

On cross examination, Mr. Cooper further testified that in his opinion, there would be no adverse effect on property values even if the Gordises would subsequently expand their home 10 feet in the direction of the subject property, thus building it to the limits of their 15-foot side yard setback and leaving only 20 feet between the two homes. The additions would enhance the value of each house because they would add utility to the homes, he testified.

Mr. Kingsbury, whom the Board accepted as an expert in landscape architecture and grading, testified that he saw eroded conditions and mottled soil that indicated poor drainage conditions on both the Petitioner's and the Gordis property, but that if the Petitioner were to take certain precautions during construction and terrace existing slopes, the proposed addition would not exacerbate the drainage problems on the Gordis property. He testified that the Gordis drainage problems are partially caused by problems on the Petitioner's property, but they could be corrected and should not be the deciding factor on whether the addition should be allowed.

Mr. Seff, the contractor for the proposed addition, testified as an expert in building construction and remodeling. He testified that the addition would conform with the existing house. An artist's rendering of the proposed addition was submitted as evidence, but no plans were submitted as evidence.

Mr. Seff testified that the proposed addition would provide an extra bedroom, a new full bathroom and an expanded bedroom in the upstairs, and add increased closet space, storage room and office space as well as expand the family room downstairs. He testified that the approximate cost would be \$100,000.

Mr. Seff further testified that he was confident he could construct the drainage improvement

Case No. 93-115-A Melvin N. Kramer, et al

without encroaching on the neighboring property. He testified that the general reason for remodeling is affordability versus the expense of moving, and that in his opinion the denial of the requested variance would impose a hardship on the Petitioner based on his need to expand.

Dr. Gordis testified that he and his wife made a decision to purchase their house strongly based on the general spaces between the houses, and that allowing the Petitioner to build to within 5 feet of the adjoining property line would be an encroachment, and would be taking advantage of the fact that his house is built further back from the property line than required.

He testified that he and his wife have discussed building a sunroom addition, but that extending their house to the 15-foot setback would make the two houses too close, if the Petitioner's variance request were granted. Dr. Gordis further testified that the drainage problem on his property began when the Petitioner built a concrete path on the side of his property, and that no attempt has been made to resolve the problem. He testified that an addition to the Petitioner's house would reduce the area of ground that could absorb run-off and could worsen the drainage problem on his own property.

Dr. Gordis conceded in his testimony that there are only two basement windows on the side of his house adjoining the Petitioner's house, and that most of the time the blinds are down and they therefore do not see the Petitioner's house from that side.

The Petitioner, Melvin N. Kramer, testified that he and his wife purchased the subject property 10 years ago, when they had one daughter. He testified that they now have three daughters, who must share one bathroom, which is a significant hardship and burden; that their closet space is totally inadequate, and that they can't enjoy the house in its present configuration. He further testified that he can't afford to move, nor does he want to move, because he likes the neighborhood in which the subject property is located.

On cross examination he testified that the house has four bedrooms and 3 1/2 bathrooms, but that one bath is attached to the master bedroom and one bedroom and bathroom are used by the live-in nanny.

Section 307.1 of the BCZR states, in pertinent part, as follows:

"... (T)he County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations . . . only in cases where special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request and where strict compliance with the Zoning Regulations for Baltimore County would result in practical difficulty or unreasonable

Case No. 93-115-A Melvin N. Kramer, et al

hardship.

The Petitioner presented no evidence to show that any special circumstances or conditions exist that are peculiar to the land or structure of the subject property that would cause strict compliance with zoning regulations to result in practical difficulty or unreasonable hardship. The only "hardships" he cited were ones created by the growth of his family, which were therefore self-created.

It is well settled that variances may be granted where it is established that strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soles, 270 Md. 216, (1973). The requirements that first must be met to prove practical difficulty are the following:

1. whether strict compliance with the requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured. Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

The Board finds that the Petitioner can, in fact, continue to use the property for a permitted purpose, without the addition.

The Petitioner particularly stressed that it is a significant hardship and burden to have three children share a bathroom. The Board is of the opinion that the sharing of 3 1/2 baths by five family members and a nanny does not constitute practical difficulty or unreasonable hardship.

Further, the Petitioner did not present any testimony as to whether the requested variance of 5 feet in lieu of 15 feet was the minimum relief necessary, or whether a lesser relaxation of the setback requirements would give substantial relief. The Board has no idea what the minimum relief would be for an additional bath, the expansion of an existing bedroom and the addition of a bedroom.

For these reasons, the Board finds that the Petitioner has not met the legal requirements for a variance and will deny the variance.

ORDER

IT IS THEREFORE this 15th day of July, 1993, by the County Board of Appeals of Baltimore County

ORDERED that the Petition for Zoning Variance to permit a west side yard setback of 5 feet in lieu of the required 15 feet for a proposed addition be and is hereby DENIED; and it is further

ORDERED that the Petition for Zoning Variance to permit an east side yard setback of 14.5 feet in lieu of the required 15 feet, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John H. Lipowitz
John H. Lipowitz, Acting Chairman

John G. Disney
John G. Disney

S. Diane Levero
S. Diane Levero



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

July 1, 1993

Mr. Norman Seff
ADKIM Builders, Inc.
1221 Greenwood Road
Baltimore, MD 21208

RE: Case No. 93-115-A
Melvin N. Kramer, et ux

Dear Mr. Seff:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Assistant

encl

cc: Dr. & Mrs. Melvin N. Kramer
Howard L. Alderman, Jr., Esquire
Dr. & Mrs. Leon Gordis
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM

IN RE: PETITION FOR ADMIN. VARIANCE
N/S Sugarcone Road, 462' W of
the c/l of Greenspring Avenue
(2406 Sugarcone Road)
3rd Election District
2nd Councilmanic District
Melvin N. Kramer, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-115-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the owners of the subject property, Melvin N. and Debbie G. Kramer. The Petitioners request relief from Section 1B02.3.B (Section 205.3 of the 1955 Regulations) to permit a west side yard setback of 5 feet in lieu of the required 15 feet, for a proposed addition, in accordance with Petitioner's Exhibit 1.

It should be noted that this request was originally filed through the Administrative Variance procedure. Subsequent to the posting of the property, a request for public hearing was filed by the adjoining property owners, Dr. and Mrs. Leon Gordis. This matter was then scheduled for a hearing which took place on December 7, 1992.

Further, it was also noted at the hearing held in this matter that an additional variance is needed for the existing structure due to the fact that the dwelling is located 14.5 feet from the east side property line in lieu of the minimum required 15 feet. The Petition was amended accordingly and the case proceeded.

Appearing at the hearing on behalf of the Petition were Melvin N. Kramer, property owner, and Norman Seff, with ADKIM Builders, Inc., the Contractor. Appearing as Protestants in the matter were Elie Gordis, who

was represented by Howard L. Alderman, Jr., Esquire, and Annjee Baylin, and Edith Weiss, nearby property owners.

Testimony and evidence presented indicated that the subject property, known as 2406 Sugarcone Road, consists of .48 acres, more or less, zoned D.R. 2 and is improved with a single family dwelling and in-ground swimming pool. The Petitioners are desirous of constructing an addition on the west side of the subject property, approximately 5 feet from the adjoining property line with the Gordis property. The Petitioners propose an extensive addition to their home with an estimated construction cost of approximately \$65 - \$75,000. Melvin Kramer testified that the proposed addition will expand existing bedroom and closet areas and provide additional living space for his growing family. Mr. Kramer testified that his family has outgrown their home, but that they do not want to move because they enjoy the neighborhood. Mr. Kramer testified that in his opinion, the proposed addition will not have any detrimental effect on property values in the neighborhood and will not adversely effect the health, safety or general welfare of the surrounding community. Testimony further indicated that the requested variance on the east side of the property is necessary in order to bring the existing dwelling into compliance with current zoning regulations. Mr. Kramer testified that he did not learn that a variance was necessary for the existing dwelling until he filed for the instant variance.

Further testimony presented by Mr. Kramer revealed that a water problem exists between his property and the Gordis property on the west side. Mr. Kramer testified that the proposed addition and improvements to the site will ameliorate the water problem which currently exists. Norman Seth of ADKIM Builders, Inc., testified as to what efforts they propose to

- 2 -

alleviate the water problems. Mr. Seth testified that they propose improvements to the existing grade of the property as well as the installation of rainspouts and gutters to channel water runoff from the dwelling to the rear of the subject lot. Testimony indicated the water runoff would be channeled through a perforated pipe that would discharge in the rear area of the Petitioners' lot. Mr. Seth testified that in order to make these improvements to the grade of the property, it would be necessary to encroach upon the Gordis' property. Testimony indicated that to date, the Gordis have not agreed to allow the Contractor to encroach on their property in order to make these improvements.

Mr. Seth further testified that his company specializes in renovations and additions to existing structures. He testified that in his opinion, it would not be possible to detect that the proposed addition was not part of the original structure. He stated that the proposed addition will blend very well into the existing home and will be aesthetically pleasing.

Appearing and testifying in opposition to the Petitioners' request was Mrs. Elie Gordis, the adjoining property owner on the affected side who requested the public hearing. Mrs. Gordis testified as to the water problem that currently exists on her property. She stated that this water problem developed as a result of Mr. Kramer's installation of a concrete walkway and steps on his property. She stated that she never had a water problem prior to the installation of this concrete walkway and steps. Mrs. Gordis testified that she is fearful that the proposed addition will increase water runoff and exacerbate the problem she currently experiences. Further, she is opposed to the Petitioners' dwelling extending to within 5 feet of her property line. She feels that this will affect

her quiet enjoyment of her property and should not be permitted. Also, Mrs. Gordis stated that she does not know at this time whether or not permission will be granted to the Petitioners' Contractor to encroach upon her property in order to make any improvements to the grading on the subject site.

Also appearing in opposition to the Petitioners' request were Edith Weiss, who resides at 2411 Sugarcone Road, and Annjee Baylin, who resides at 2412 Sugarcone Road. Both of these neighbors stated that they are opposed to the granting of the requested variance for the proposed addition in that they believe it would have a detrimental effect on their property values. Furthermore, they stated that should the variance be granted, the houses would be too close together.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it appears that the variance requested for the west side of the property

should be denied. There was insufficient evidence to allow a finding that the Petitioners would experience practical difficulty or unreasonable hardship if the requested variance were denied. It has been established that there currently exists a water problem and in the opinion of this Deputy Zoning Commissioner, the size and extent of the proposed addition will only exacerbate the problem. Furthermore, no permission has been granted by Mr. & Mrs. Gordis to allow Mr. Kramer's contractor to encroach upon their property in order to perform grading improvements on the subject site. It is my opinion that granting this variance would have a detrimental effect upon the general welfare of the community, and particularly, upon Mr. & Mrs. Gordis. Therefore, the variance requested must be denied. However, the variance for the east side of the dwelling shall be granted in order to bring the property into compliance with current zoning regulations. Testimony indicated that the subject variance is necessary only to legitimize existing improvements on the property.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested shall be granted in part and denied in part.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of December, 1992 that the Petition for Zoning Variance requesting relief from Section 1B02.3.B (Section 205.3 of the 1955 Regulations) to permit a west side yard setback of 5 feet in lieu of the required 15 feet, for a proposed addition in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from Section 1B02.3.B (Section 205.3 of the 1955 Regulations) to permit an east side yard setback of 14.5 feet in lieu of the

required 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

MICROFILMED

- 6 -

ORDER RECEIVED FOR FILING
Date 10/17/92
By [Signature]

- 3 -

ORDER RECEIVED FOR FILING
Date 10/17/92
By [Signature]

- 4 -

MICROFILMED

ORDER RECEIVED FOR FILING
Date 10/17/92
By [Signature]

- 5 -

MICROFILMED

ORDER RECEIVED FOR FILING
Date 10/17/92
By [Signature]

Baltimore County Government
Zoning Commission
Office of Planning and Zoning
Suite 113 Courthouse
400 Washington Avenue
Towson MD 21204
December 17, 1992 (410) 887-4386

Mr. & Mrs. Melvin N. Kramer
2408 Sugarcone Road
Baltimore, Maryland 21209

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N S Sugarcone Road, 460' W of the c.v. of Greenspring Avenue
(2408 Sugarcone Road)
2nd Election District - 2nd Councilmanic District
Melvin N. Kramer, et ux - Petitioners
Case No. 93-115-A

Dear Mr. & Mrs. Kramer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in part and denied in part in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3351.

Very truly yours,

Timothy M. Trotter
TIMOTHY M. TROTTER
Deputy Zoning Commissioner
for Baltimore County

TMK:bjg

cc: Mr. Norman Seth
ADKIM Builders, Inc.
1221 Greenwood Road, Baltimore, Md. 21208

Dr. & Mrs. Leon Gordis
2408 Sugarcone Road, Baltimore, Md. 21209

People's Counsel

File

Petition for Administrative Variance
93-115-A
to the Zoning Commissioner of Baltimore County
for the property located at 2408 SUGARCON ROAD
which is presently zoned DR 3S

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)
1 B02.3 B(1955) 200'S 52' (N.W. 200'S) TO ALLOW A SIDEYARD
SETBACK OF 5' IN LIEU OF THE REQUIRED 15'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

NEED TO EXPAND BEDROOM AND CLOSET AREAS
AS OUR CHILDREN ARE GROWING UP, WE NEED
ADDITIONAL SPACE A REAR ADDITION IS NOT
FEASIBLE DUE TO EXISTING POOL

Property is to be posted and advertised as prescribed by Zoning Regulations.
I do agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

(We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.)
Legal Owner(s):
Melvin N. Kramer
Debbie G. Kramer
Signature
DEBBIE G. KRAMER
Melvin N. Kramer
Signature
2408 SUGARCON ROAD 484-9183
Address Phone No.
BALTIMORE MARYLAND 21209
City State Zip Code
Name Address and phone number of legal owner, contact person or representative to be contacted
ADKIM BUILDERS INC LEWIS HARRIS
1221 GREENWOOD ROAD 486-6027
Address Phone No.
BALTIMORE MARYLAND 21208
City State Zip Code

A Public Hearing having been requested and/or held as required, it is ordered by the Zoning Commissioner of Baltimore County, this 17th day of December 1992, that the petition for a Variance from Section(s) 1 B02.3 B(1955) 200'S 52' (N.W. 200'S) TO ALLOW A SIDEYARD SETBACK OF 5' IN LIEU OF THE REQUIRED 15' be granted.

Reviewed by: LG DATE 10/9/92
ESTIMATED POSTING DATE 10/27/92
ITEM #: 126

93-115-A 126
Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereon in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 2408 SUGARCON ROAD
BALTIMORE MD 21209
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

NEED TO EXPAND BEDROOM AND CLOSET AREAS AS
OUR CHILDREN ARE GROWING UP WE NEED
ADDITIONAL SPACE AS NEEDED A REAR
ADDITION IS NOT POSSIBLE DUE TO EXISTING
POOL

This Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and to pay the cost of a public hearing.

STATE OF MARYLAND, COUNTY OF BALTIMORE, ss: I, Notary Public, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in my records.

I HEREBY CERTIFY, this 25th day of August, 1992, before me, a Notary Public of the State of Maryland, in and for the County of Baltimore, personally appeared Melvin N. Kramer and Debbie G. Kramer
The Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

25 August 1992
NOTARY PUBLIC ARNE BLASE
My Commission Expires: 2/20/95



MICROFILMED

Beginning at a point on the north side of Sugarcone which is 60' wide at the distance of 462' west of the centerline of the nearest improved intersecting street Greenspring Avenue which is 75' wide. Being known and designated as lot #4 in block A, as shown on Plat 3, Section 1, and resubdivision of lot #1, Block C, parcels A and C, Plat 1, section 1 greenspace which plat is recorded among the land records of Baltimore County in plat Book 38, Folio 107, containing .48 acre, also known as 2408 Sugarcone Road.

93-115-A

126

126

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 303 Date of Posting 10/24/92
Posted for Kramer
Petitioner Melvin N. Kramer and Debbie G. Kramer
Location of property 2408 Sugarcone Rd. (N.W. 200'S) 460' W of Greenspring Ave.
Location of Sign 2408 Sugarcone Rd. (N.W. 200'S) 460' W of Greenspring Ave.
Remarks:
Posted by Michael Date of return 10/27/92
Number of Signs 1

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 303 Date of Posting 10/24/92
Posted for Kramer
Petitioner Melvin N. Kramer and Debbie G. Kramer
Location of property 2408 Sugarcone Rd. (N.W. 200'S) 460' W of Greenspring Ave.
Location of Sign 2408 Sugarcone Rd. (N.W. 200'S) 460' W of Greenspring Ave.
Remarks:
Posted by Michael Date of return 10/27/92
Number of Signs 1

CERTIFICATE OF PUBLICATION

TOWSON, MD. 11/12, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 11/12, 1992

THE JEFFERSONIAN,

S. Zefe Olin
Publisher

\$65.65 MICROFILMED

receipt
93-115-A
10/09/92
PUBLIC HEARING FEES QTY PRICE
1 - ZONING VARIANCE (IRL) 1 X \$50.00
180 - POSTING SIGNS / ADVERTISING 1 X \$35.00
TOTAL: \$85.00
LAST NAME OF OWNER: KRAMER
04A04H0DSBCHRC \$85.00
RA 0010422AM10-09-92
Please Make Checks Payable To: Baltimore County
Cashier Validation

REQUEST FOR HEARING

TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY:
Re: Case Number: 93-115-A
Petitioner(s): Melvin & Debbie Kramer
Location: 2408 Sugarcone Road

X. Mr. Dr. and Mrs. Leon Gordis
(X) Legal Owners (X) Residents, of
2408 Sugarcone Road
Address

Baltimore, Maryland 21209 484-7308
City/State/Zip Code Phone

which is located immediately adjacent to
property which is the subject of the above petition, do hereby formally request that a public hearing be set in this matter.

Dr. and Mrs. Leon Gordis

BY: Howard L. Alderman, Jr., Esq.
Legal Counsel to Dr. and Mrs. Gordis
Signature Date

MICROFILMED

receipt
No. 10101
Account 93-115-A
AMOUNT \$ 50.00
RECEIVED FROM Michael
FOR 2408 Sugarcone Rd. (N.W. 200'S) 460' W of Greenspring Ave.
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 10/24/92 ACCOUNT 93-115-A
AMOUNT \$ 50.00
RECEIVED FROM Michael
FOR 2408 Sugarcone Rd. (N.W. 200'S) 460' W of Greenspring Ave.
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 10/24/92 ACCOUNT 93-115-A
AMOUNT \$ 50.00
RECEIVED FROM Michael
FOR 2408 Sugarcone Rd. (N.W. 200'S) 460' W of Greenspring Ave.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 10101
DATE 10/24/92 ACCOUNT 93-115-A
AMOUNT \$ 50.00
RECEIVED FROM Michael
FOR 2408 Sugarcone Rd. (N.W. 200'S) 460' W of Greenspring Ave.
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 10/24/92 ACCOUNT 93-115-A
AMOUNT \$ 50.00
RECEIVED FROM Michael
FOR 2408 Sugarcone Rd. (N.W. 200'S) 460' W of Greenspring Ave.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DATE: 1/15/92

Melvin and Debbie Kramer
2406 Sugarcone Road
Baltimore, Maryland 21204

RE:
CASE NUMBER: 93-115-A (Item 126)
N/S Sugarcone Road, 462' W of c/l of Greenspring Avenue
2406 Sugarcone Road
3rd Election District - 2nd Councilmanic District
Petitioner(s): Melvin N. Kramer and Debbie G. Kramer
HEARING: MONDAY, DECEMBER 7, 1992 at 9:00 a.m. in Rm. 118, Old Courthouse.

Dear Petitioner(s):

Please be advised that \$ 45.00 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check, via money order, to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 106, Towson, Maryland 21204. Place the case number on the check and make sure payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

UNWILL JABLON
DIRECTOR

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd
Posted for: H. Kramer
Petitioner: Melvin N. Kramer, ET UX
Location of property: N/S Sugarcone Rd, 462' W of Greenspring Ave
2406 Sugarcone Rd
Location of Sign: 2406 Sugarcone Rd, 462' W of Greenspring Ave
Remarks:
Posted by: [Signature]
Date of return: 2/17/93
Number of Signs: 1

receipt

Baltimore County Government
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R001-6150
Number: 93-115-A

cashier validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

NOV 04 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-115-A (Item 126)
N/S Sugarcone Road, 462' W of c/l of Greenspring Avenue
2406 Sugarcone Road
3rd Election District - 2nd Councilmanic District
Petitioner(s): Melvin N. Kramer and Debbie G. Kramer
HEARING: MONDAY, DECEMBER 7, 1992 at 9:00 a.m. in Rm. 118, Old Courthouse.

Variance to allow a side yard setback of 5 feet in lieu of the required 15 feet.

[Signature]
Lawrence E. Schmidt
Zoning Commissioner of Baltimore County

cc: Melvin and Debbie Kramer
Adkins Builders, Inc.
Howard L. Alderman, Jr., Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

MICROFILMED

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room -
Room 48, Old Courthouse
400 Washington Avenue

February 3, 1993

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 93-115-A

MELVIN N. KRAMER, ET UX
N/S Sugarcone Road, 462' W of
c/l of Greenspring Avenue
(2406 Sugarcone Road)
3rd Election District;
2nd Councilmanic District

VAR -side yard setbacks

12/17/92 -D.Z.C.'s Order DENYING in part
and GRANTING in part w/restrictions.
Petition with restrictions.

ASSIGNED FOR: THURSDAY, JUNE 17, 1993, AT 10:00 a.m.

cc: Norman Seff (Adkim Builders, Inc.)
on behalf of Dr. & Mrs. M. Kramer Petitioner/Appellant

Dr. & Mrs. Leon Gordis

People's Counsel for Baltimore County

Public Services:
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning
Administration

Robert L. Alderman, Jr., Esquire Counsel for Dr. & Mrs. Leon Gordis

Kathleen C. Weidenhammer
Administrative Assistant

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room -
Room 48, Old Courthouse
400 Washington Avenue

February 3, 1993

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 93-115-A

MELVIN N. KRAMER, ET UX
N/S Sugarcone Road, 462' W of
c/l of Greenspring Avenue
(2406 Sugarcone Road)
3rd Election District;
2nd Councilmanic District

VAR -side yard setbacks

12/17/92 -D.Z.C.'s Order DENYING in part
and GRANTING in part w/restrictions.
Petition with restrictions.

ASSIGNED FOR: THURSDAY, JUNE 17, 1993, AT 10:00 a.m.

cc: Norman Seff (Adkim Builders, Inc.)
on behalf of Dr. & Mrs. M. Kramer Petitioner/Appellant

Dr. & Mrs. Leon Gordis

People's Counsel for Baltimore County

Public Services:
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning
Administration

Kathleen C. Weidenhammer
Administrative Assistant

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room -
Room 48, Old Courthouse
400 Washington Avenue

February 24, 1993

NOTICE OF REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 93-115-A

MELVIN N. KRAMER, ET UX
N/S Sugarcone Road, 462' W of
c/l of Greenspring Avenue
(2406 Sugarcone Road)
3rd Election District;
2nd Councilmanic District

VAR -side yard setbacks

12/17/92 -D.Z.C.'s Order DENYING in part
and GRANTING in part w/restrictions.

which was scheduled for hearing on June 17, 1993 has been REASSIGNED at the request of Counsel for Protestants (Protestant's schedule conflict); and has been

REASSIGNED FOR: TUESDAY, JUNE 1, 1993, AT 10:00 a.m.

cc: Norman Seff (Adkim Builders, Inc.)
on behalf of Dr. & Mrs. M. Kramer Petitioner/Appellant

Howard L. Alderman, Jr., Esquire Counsel for Protestants
Dr. & Mrs. Leon Gordis Protestants

People's Counsel for Baltimore County

P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning
Administration

Kathleen C. Weidenhammer
Administrative Assistant

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room -
Room 48, Old Courthouse
400 Washington Avenue

November 15, 1993

NOTICE OF ASSIGNMENT /ON REMAND FROM CIRCUIT COURT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 93-115-A

MELVIN N. KRAMER, ET UX
N/S Sugarcone Road, 462' W of
c/l of Greenspring Avenue
(2406 Sugarcone Road)
3rd Election District;
2nd Councilmanic District

11/05/93 -Remand Order of the Circuit Court filed (remanded by joint request of parties).

Has been scheduled on the Board's docket to a mutually confirmed date for the purpose of putting agreement of parties on the record only; and has been

ASSIGNED FOR: TUESDAY, DECEMBER 7, 1993, AT 9:30 a.m.

cc: Norman Seff (Adkim Builders, Inc.)
on behalf of Dr. & Mrs. M. Kramer Petitioner/Appellant

Howard L. Alderman, Jr., Esquire Counsel for Protestants
Dr. & Mrs. Leon Gordis Protestants

People's Counsel for Baltimore County

P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning
Administration

Kathleen C. Weidenhammer
Administrative Assistant

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

October 26, 1992

(410) 887-3353

Mr. and Mrs. Melvin N. Kramer
2406 Sugarcone Road
Baltimore, MD 21204

RE: Item No. 126, Case No. 93-115-A
Petitioner: Melvin N. Kramer, et ux
Petition for Administrative Variance

Dear Mr. and Mrs. Kramer:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the zoning commissioner will deny the petition due to errors or incompleteness.

Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee. At the time future appointments are made, failure to keep these appointments without proper advance notice, more than 72 hours, will result in the forfeiture loss of the filing fee.

W. Carl Richards Jr.
W. Carl Richards, Jr.
Zoning Coordinator

ATTORNEY

PROCEDURES

Mr. Lewis Hulse
ADKIM Builders Inc.
1121 Greenwood Road
Baltimore, MD 21202



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this
9th day of October, 1992.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:

W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Melvin N. Kramer, et ux

Petitioner's Attorney:

DPW/Developers Engineering Division (Public Services)
Development Review Committee Response Form
Authorized signature *David M. Ramsey* Date *10/26/92*

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
✓	April L. and Wayne M. Rother		118	10-19-92 NC
DED DEPRM RP STP TE	York Stevenson Limited Partnership		121	NC
✓	Cheryl Cronin		122	NC
DED DEPRM RP STP TE	Operating engineers Local No. 37		123	NC
✓	Baltimore Gas And Electric Company		124	Comment
DED DEPRM RP STP TE	St Paul's Boy's and Girls school of St. Paul's Parish		125	NC
✓	Melvin N. and Debbie G. Kramer		126	NC
DED DEPRM RP STP TE	John Henry and Elaine Eleanor Baker		127	NC
✓	Lewis Brooks Ramsey		128	Comment
DED DEPRM RP STP TE				

COUNT 9

90476 Stonegate at Patapsco (Azeal Property) 6-1-92
ZON DEPRM TE (Waiting for developer to submit plans first)

COUNT 1

FINAL TOTALS
COUNT 10



Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: #128 (L36)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

David M. Ramsey 10/19/92
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: October 20, 1992

FROM: Edwin Mc Daniel, Chief
Office of Planning and Zoning
Development Review Section

SUBJECT: Petitions from Zoning Advisory Committee
(October 20, 1992)

The Office of Planning and Zoning has no comments on the following petition(s):

Baltimore Gas & Electric Company, Item No. 124
St. Paul's School of St. Paul's Parish, Item No. 125
Melvin and Debbie Kramer, Item No. 126
John and Elaine Baker, Item No. 127

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning at 887-3211.

Prepared by: *Francis Morsey*

Division Chief: *Edwin M. Daniel*

EMC:FM:rdh

DPW/Traffic Engineering
Development Review Committee Response Form
Authorized signature *Robert J. Familj* Date *10/26/92*

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
✓	April L. and Wayne M. Rother		118	10-19-92 N/C
DED DEPRM RP STP TE	York Stevenson Limited Partnership		121	M/T
✓	Cheryl Cronin		122	W/C
DED DEPRM RP STP TE	Operating engineers Local No. 37		123	N/C
✓	Baltimore Gas And Electric Company		124	N/C
DED DEPRM RP STP TE	St Paul's Boy's and Girls school of St. Paul's Parish		125	N/C
✓	Melvin N. and Debbie G. Kramer		126	N/C
DED DEPRM RP STP TE	John Henry and Elaine Eleanor Baker		127	N/C
✓	Lewis Brooks Ramsey		128	N/C
DED DEPRM RP STP TE				

COUNT 9

90476 Stonegate at Patapsco (Azeal Property) 6-1-92
ZON DEPRM TE (Waiting for developer to submit plans first)

COUNT 1

FINAL TOTALS
COUNT 10



TX East Joppa Road Suite 901
Towson MD 21204-5500

OCTOBER 16, 1992

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: MELVIN N. KRAMER AND DEBBIE G. KRAMER

Location: #2406 SUGARCONE ROAD

Item No.: *126 (LJG) Zoning Agenda: OCTOBER 19, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *John Henry Baker*
Planning Group
Special Inspection Division

JP/REK

Redd 10/21/92



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

January 25, 1993

Baltimore County Board of Appeals
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

RE: Petition for Administrative Variance
#2406 Sugarcone Road, 462' W of the c/l of Greenspring Avenue
(462' Sugarcone Road)
1st Election District, 2nd Councilmanic District
MELVIN N. KRAMER, ET UX - Petitioner
Case No. 43-19-A

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on 2/10/93, by Norman Seft, President of ADKIM Builders, Inc., on behalf of Mr. and Mrs. Kramer. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

Arnold Jablon
Arnold Jablon, Director
Zoning Administration and
Development Management

Attorney

Procedures

TO: Mr. & Mrs. Melvin N. Kramer, 2406 Sugarcone Road, Balto. MD 21209

Norman Seft - ADKIM Builders, Inc.
1221 Greenwood Road, Baltimore, Maryland 21208

Mr. & Mrs. Leon Gordis - 2408 Sugarcone Road, Balto. MD 21209

People's Counsel of Baltimore County
Old Courthouse, 400 Washington Avenue, Towson, MD 21204

APPEAL

Petition for Administrative Variance
(N/S Sugarcone Road), 462' W of the c/l of Greenspring Avenue
(2406 Sugarcone Road)
3rd Election District - 2nd Councilmanic District
MELVIN N. KRAMER, ET UX - PETITIONER
Case No. 93-115-A

Petition for Administration Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments (Included with ZAC Comments)

Petitioner(s) and Protestant(s) Sign-In Sheets

Petitioner's Exhibits: 1. Plan to accompany petition

3. Artist's drawing of new addition

2. & 4. Photographs of property

5. Affidavit in support of petition

Protestant's Exhibits: 1. None

Deputy Zoning Commissioner's Order dated December 17, 1992 (Denied in part; Granted with restrictions in part)

Notice of Appeal received on January 14, 1993 from Norman Seff, President of ADKIM Builders, Inc. on behalf of Dr. & Mrs. Melvin N. Kramer

cc: Dr. & Mrs. Melvin N. Kramer, 2406 Sugarcone Road, Balto. MD 21209

Norman Seff - ADKIM Builders, Inc.
1221 Greenwood Road, Baltimore, Maryland 21208

Dr. & Mrs. Leon Gordis - 2408 Sugarcone Road, Balto. MD 21209

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
Lawrence E. Schmidt, Zoning Commissioner
Timothy M. Kotroco, Deputy Zoning Commissioner
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Director of ZADM
Public Services

MELVIN N. KRAMER, ET UX #93-115-A
N/S Sugarcone Road, 462' W of the
c/l of Greenspring Avenue 3rd Election District
(2406 Sugarcone Road)

October 9, 1992 Petition for Variance to allow a side yard setback of 5 ft. in lieu of the required 15 ft. (need to expand bedroom and closet areas as our children are growing up. We need additional space. A rear addition is not possible due to existing pool.

October 26 Comments of Baltimore County Zoning Plans Advisory Committee.

November 12 Publication in newspapers.

November 20 Certificate of Posting of property.

December 7 Hearing held on Petition by the Deputy Zoning Commissioner.

December 17 Order of the Deputy Zoning Commissioner DENYING Petition for Zoning Variance for west side yard setback for a proposed addition; GRANTING Petition for Zoning Variance for east side yard setback.

January 14, 1993 Notice of Appeal received from Norman Seff, President of ADKIM Builders, Inc. on behalf of the Petitioners.

June 1 Hearing before the Board of Appeals.

July 1 Opinion and Order of the Board DENYING Petition for Variance for west side yard setback; GRANTING Petition for Zoning Variance for east side yard setback.

August 4 Notice For Filing Order For Appeal (Petition for Judicial Review) filed in the Circuit Court for Baltimore County by Melvin N. Kramer, Appellant (Petitioner).

August 5 Certificate of Notice sent to interested parties.

Transcript of testimony filed; Record of Proceedings filed in the Circuit Court for Baltimore County.

* No transcript provided to Board. Motion for Extension of Time to File Record filed in the Circuit Court on September 27, 1993.

October 22 Joint Request to Remand to the County Board of Appeals of Baltimore County filed by parties.

November 5 Remand Order of the Circuit Court /agreement reached by parties.

11/15/93 - Following parties notified of hearing set for December 7, 1993 at 9:30 a.m. /on remand from Circuit Court by joint request of parties; for purpose of putting agreement on record:

Norman Seff (Adkim Builders, Inc.)

On behalf of...

Dr. & Mrs. M. Kramer

Dr. & Mrs. Leon Gordis

People's Counsel for Baltimore County

P. David Fields

Lawrence E. Schmidt

Timothy M. Kotroco

W. Carl Richards, Jr. /ZADM

Docket Clerk /ZADM

Arnold Jablon, Director /ZADM

2/03/93 - Following parties notified of hearing set for June 17, 1993 at 10:00 a.m.:

Norman Seff (Adkim Builders, Inc.)

On behalf of Dr. & Mrs. M. Kramer

Dr. & Mrs. Leon Gordis

People's Counsel for Baltimore County

P. David Fields

Lawrence E. Schmidt

Timothy M. Kotroco

W. Carl Richards, Jr.

Docket Clerk - Zoning

Arnold Jablon

1 27 93 -Ltr from Norman Seff, Adkim Builders, Inc., Appellant, requesting early hearing date prior to June should such date become available.

2 12 93 -Ltr from SSA to Mr. Seff; letter will be held in file and consideration given if time becomes available prior to scheduled date of June 17th.

2 12 93 -Ltr from Howard Alderman, Esquire -Counsel for Dr. & Mrs. Gordis; advising that he was inadvertently omitted from file by Zoning; requesting postponement since Dr. Gordis will be out of town date of June 17th and intends to participate in hearing before Board.

2 24 93 -Notice of Reassignment sent to above parties advising of reassignment to Tuesday, June 15, 1993 at 10:00 a.m.

7 12 93 -Motion to Reconsider filed by M. Kramer; requesting the Board's reconsideration of the Opinion and Order issued July 1, 1993 which denied variance for proposed addition.

7 14 93 -Amendment to above Motion to Reconsider --in light of additional testimony regarding sale of property at 2408 by protestant at proceedings before Board.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

February 2, 1993

Mr. Norman Seff, President
Adkim Builders, Inc.
1221 Greenwood Road
Baltimore, MD 21208

Re: Case No. 93-115-A
Melvin N. Kramer, et ux

Dear Mr. Seff:

The Board is in receipt of your recent correspondence regarding the above-referenced case.

This appeal has been scheduled for hearing before the Board on Thursday, June 17, 1993, at 10:00 a.m. as indicated by the enclosed Notice of Assignment. At this time the Board has no earlier date in its docket to which this case could be assigned. We will however keep your letter on file should an appropriate date become available which would permit sufficient time for rescheduling, at which time we would confirm availability of all parties involved.

Very truly yours,

Kathleen C. Weidenhammer
Administrative Assistant

Enclosure

cc: Dr. & Mrs. Melvin N. Kramer
Dr. & Mrs. Leon Gordis
People's Counsel for Baltimore County

2-2-93 10:00 AM



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

August 5, 1993

Dr. Melvin N. Kramer
2406 Sugarcone Road
Baltimore, MD 21209

RE: Case No. 93-115-A
MELVIN N. KRAMER

Dear Dr. Kramer:

In accordance with Rule B-7(a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the appeal which you have taken to the Circuit Court for Baltimore County in the above-entitled matter within sixty days.

The cost of the transcript of the record must be paid by you. In addition, all costs incurred for certified copies of other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not later than sixty days from the date of any petition you file in Court, in accordance with Rule B-7(a).

Enclosed is a copy of the Certificate of Notice which has been filed in the Circuit Court.

Very truly yours,

Charlotte E. Radcliffe
Legal Secretary

Enclosure

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

October 16, 1992

(410) 887-3353

Melvin and Debbie Kramer
2406 Sugarcone Road
Baltimore, Maryland 21209

Re: CASE NUMBER: 93-115-A

LOCATION: N/S Sugarcone Road, 462' W of c/l Greenspring Avenue
2406 Sugarcone Road
3rd Election District - 2nd Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any request made with this office should reference the case number. This letter also serves as a request regarding the administrative process.

1. Your property will be posted on or before October 25, 1992. The closing date is November 9, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an order will issue. This order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2. In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3. Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Lawrence E. Schmidt
Zoning Commissioner, Baltimore County

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

OCTOBER 29, 1992

Melvin and Debbie Kramer
2406 Sugarcone Road
Baltimore, Maryland 21209

Re: CASE NUMBER: 93-115-A

Dear Petitioners:

A formal REQUEST FOR PUBLIC HEARING has been filed in your case.

As you recall, this matter must now go through the regular hearing process; the property must be reposted and notice of the hearing will be placed in two local newspapers. You will be billed for these advertising costs.

Formal notification of the hearing date will be forwarded to you shortly.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner
Baltimore County, Maryland

cc: Adkim Builders, Inc.
Howard L. Alderman, Jr., Esq.

BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21204
410-539-3700
TELECOPIER 410-602-9050

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-539-3700
TELECOPIER 410-602-9050

ELIAS LEVIN (1893-1980)

HOWARD L. ALDERMAN, JR.

October 29, 1992

HAND DELIVERED

Arnold Jablon, Director
Zoning Administration and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Formal Request for Public Hearing
Case No.: 93-115-A

Dear Mr. Jablon:

We represent Dr. and Mrs. Leon Gordis who reside at 2408 Sugarcone Road, Baltimore, Maryland. Dr. and Mrs. Gordis have recently observed a sign posted on the property immediately adjacent to theirs, regarding a requested variance and which has been assigned the above-referenced case number.

In accordance with Baltimore County Code Section 26-127(B)(1), our clients hereby request that a public hearing be held on the relief requested in the above-referenced case. I have enclosed herewith, this firm's check in the amount of Forty Dollars with respect to the hearing request, as well as the completed "Request for Hearing" form provided by your office.

Should you need any additional information regarding this matter in advance of scheduling the public hearing, please do not hesitate to contact me.

Very truly yours,

Howard L. Alderman, Jr.
Howard L. Alderman, Jr.

HLAjr/lr
Enclosures (2)

cc: Dr. and Mrs. Leon Gordis
Andrew R. Sandler, Esquire

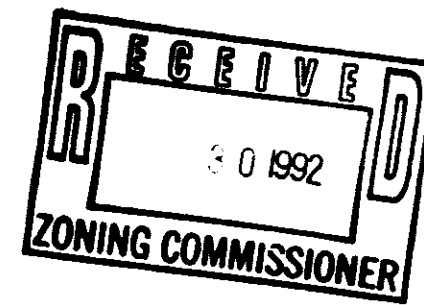
BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21204
410-539-3700
TELECOPIER 410-602-9050

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-539-3700
TELECOPIER 410-602-9050

ELIAS LEVIN (1893-1980)

HOWARD L. ALDERMAN, JR.

December 29, 1992



Timothy Kotroco, Esquire
Deputy Zoning Commissioner
Office of the Baltimore County Zoning Commissioner
Old Courthouse, Room 115
Towson, MD 21204

RE: Correction of Parties
Case No. 93-115-A
Melvin N. Kramer, et ux Petitioners

Dear Mr. Kotroco:

I have just received and reviewed your decision in the above-referenced matter. For the record, there needs to be a correction of the parties as identified therein. At the hearing, I represented Dr. and Mrs. Leon Gordis who reside at 2408 Sugarcone Road. The Gordis' son, Elie Gordis, was also in attendance at the hearing in opposition to the requested relief.

All references to testimony by Mrs. Gordis should refer to Mrs. Hadassah Gordis. I believe that your decision makes reference to Mrs. Elie Gordis.

I do not believe that an amended Order is necessary. I would only request that this letter be made a part of your file for purposes of clarification.

Thank you for your continued attention to this matter.

Very truly yours,

Howard L. Alderman, Jr.
Howard L. Alderman, Jr.

HLA, Jr./gk

cc: Dr. and Mrs. Leon Gordis
Mr. and Mrs. Melvin N. Kramer

BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21204
410-539-3700
TELECOPIER 410-602-9050

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-539-3700
TELECOPIER 410-602-9050

ELIAS LEVIN (1893-1980)

HOWARD L. ALDERMAN, JR.

February 10, 1993

William T. Hackett, Chairman
County Board of Appeals for Baltimore County
Old Courthouse Room 49
Towson, Maryland 21204

RE: Melvin N. Kramer, et ux
Case No.: 93-115-A
Request for Postponement

Dear Chairman Hackett:

This firm represents Dr. and Mrs. Leon Gordis in connection with their opposition to the relief requested in the above-referenced case. I formerly entered my appearance before the Zoning Commissioner for Baltimore County and provided representation at the zoning hearing. Apparently, the Zoning Commissioner's Office has failed to include my name on the list of legal counsel in this matter. I have not received directly, either the Notice of Appeal or the Notice of Assignment.

I received a call from our clients, in connection with the Notice of Assignment dated February 3, 1993, and a copy of a letter to Mr. Norman Seff, President of Adkim Builders, Inc., that my clients received.

I am advised that Dr. Leon Gordis will be out of the State on the scheduled day of the hearing, June 17, 1993. Please be advised that Dr. and Mrs. Leon Gordis intend to participate at the hearing, therefore, in accordance with Board Rule 2(b) I am hereby requesting a continuance and that the hearing be reset as soon after June 17, 1993 as the schedule of the Board provides.

Should you have any questions, or should you need additional information in evaluating this request, as always, please do not hesitate to contact me.

Very truly yours,

Howard L. Alderman, Jr.
Howard L. Alderman, Jr.

HLA/lr
cc: Dr. and Mrs. Leon Gordis
Norman Seff, President

ADKIM BUILDERS, INC.

Kathy Widenhammer
Administrative Assistance
Baltimore County Board of Appeals
Rm. 49
Old Court House
Towson, Maryland 21204

RE: PETITION FOR ADMINISTRATIVE VARIANCE
N/S Sugarcone Road, 462' W of the of of Greenspring Avenue
(2408 Sugarcone Road)
3rd Election District-2nd Councilmanic District
Melvin N. Kramer, et ux - Petitioners
Case No. 93-115-A

Dear Ms. Widenhammer:

I am sending this letter, as per our conversation on 1/22/93, to request the need that a date for hearing of the appeal regarding the Kramer residence be set swiftly. As a result of the nature of the project we are performing there is a need to produce plans and specifications that is greatly hindered because of a trial date set in June. We respectfully request that this hearing take place at your earliest possible convenience. If there is anything I or my office can do to facilitate or encourage this process please call Adkim Builders, Inc., 1221 Greenwood Road, Baltimore, MD 21208 at 486-6027.

If there are any questions or concerns please feel free to call. Thank you for your cooperation and support.

Sincerely,

Norman Seff
Norman Seff, President
Adkim Builders, Inc.



1221 Greenwood Rd. • Baltimore, Maryland 21208 • (410) 486-6027 • FAX 486-0818 • M.H.I.C. #12452

Designing Your Dreams

file

Dr. & Mrs. Melvin N. Kramer
2406 Sugarcone Road
Baltimore, Maryland 21209
(301) 484-9135

VIA FAX 887-5708

December 8, 1992

Timothy M. Kotroco, Esq.
Deputy Zoning Commissioner
Old Courthouse, Room 113
400 Washington Avenue
Towson, MD 21204

RE: Case Number 93-115-A (Item 126)
N/S Sugarcone Road
462' W of c/l Greenspring Avenue
2406 Sugarcone Road

Dear Mr. Kotroco:

Pursuant to the hearing of yesterday whereby we requested that the County grant us a "variance to allow a side yard setback of 5 feet in lieu of the required 15 feet" at the above-referenced property, I would like to offer the following additional information. After the hearing, we went over to the Zoning Office in the County Office Building to return the signs and had an interesting and substantive discussion with Mr. Laurence J. Goetz, Planning and Zoning Associate, who had been immensely helpful to us in terms of assuring that the proper forms and protocol be fully executed.

I questioned Mr. Goetz as to a statement which opposing counsel, Howard L. Alderman, Jr., Esq., made in reference to the burden that Mr. Alderman stated that your granting our petition would place on the Gordis family/property by virtue of the fact that they would be required by the Zoning Regulations to obtain a variance if they should sometime in the future decide or desire to have additional windows placed on the side of their house which faces ours. This I believe was referred to as a "window to window set back". After researching this issue with Mr. Goetz and his checking some County documentation, he stated to us that that requisite ~~does~~ does not apply to the Greengate development. Therefore, at least Mr. Alderman made an honest mistake, or at worst he was trying to mislead Your Honor that, indeed, granting the variance to us would adversely affect the Gordis family/property. Of course, they have since 1974 not sought to place windows on that side of their house.



MICROFILMED

Timothy M. Kotroco, Esq.
December 8, 1992
Page Two

I appreciate the opportunity to call this to your attention. I was not sure of the proper protocol, but your most kind secretary, Mrs. Novack, stated to me that it would be appropriate for me to write this letter to clarify that point to you for you to consider in your deliberations.

Thank you again for your patience and understanding in hearing our matter and I shall look forward to hearing your decision when it is made.

Very truly yours,

Melvin N. Kramer
Melvin N. Kramer

MNK:ab

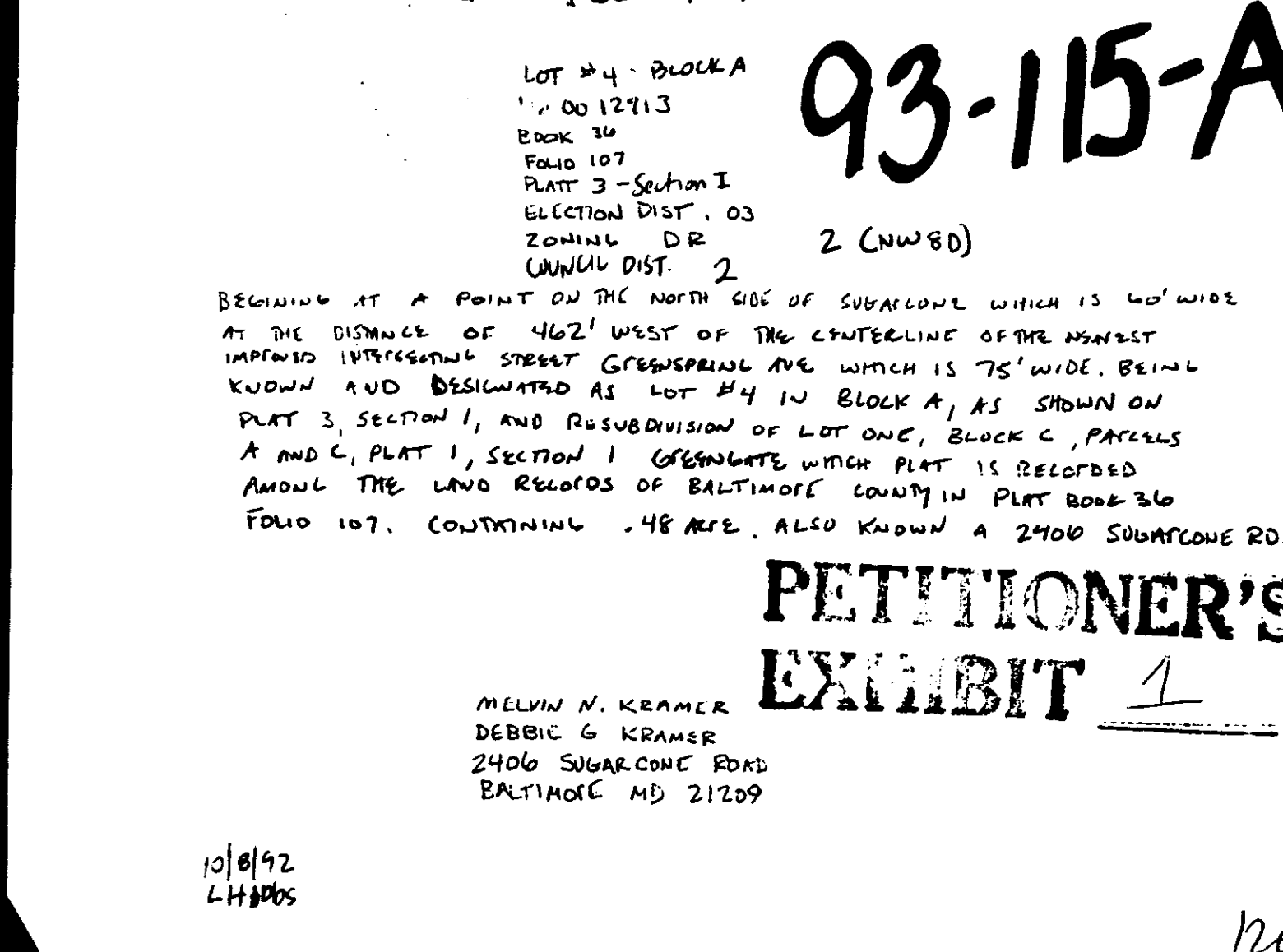
PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Melvin N. Kramer	2406 Sugarcone Rd
Hadassah Gordis	2406 Sugarcone Rd 21209
Elie Gordis	2406 Sugarcone Rd 21209
Norman Seff	1221 Greenwood Rd 21208

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Elie Gordis	2406 Sugarcone Rd 21209
Hadassah Gordis	2406 Sugarcone Rd 21209
Melvin N. Kramer	2406 Sugarcone Rd 21209
Norman Seff	1221 Greenwood Rd 21208



LOT #4 - BLOCK A
1.00 12713
BOOK 36
FOLIO 107
PLAT #3 - SECTION I
ELECTION DIST. 03
ZONING DR
UNCLD DIST. 2

93-15-A

2 (NW/80)

BEGINNING AT A POINT ON THE NORTH SIDE OF SUBARROWNE WHICH IS 40' WIDE
AT THE CORNER OF 402' WEST OF THE CENTERLINE OF THE HIGHEST
IMPROVED STRAIGHT CROSSROADS AVE WHICH IS 75' WIDE, BEING
KNOWN AND DISSEMINATED AS LOT #4 IN BLOCK A, AS SHOWN ON
PLAT 3, SECTION I, AND RESUBDIVISION OF LOT ONE AND A
AND C, PLAT 1, SECTION I (HEREINAFTER WHICH PLAT IS REFERRED
AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK 36
FOLIO 107. CONTINUING N. 48 EAS. ALSO KNOWN AS 2740 SUBARROWNE RD

PETITIONER'S
EXHIBIT 1

MELVIN N. KRAMER
DEBBIE G KRAMER
2406 SUGAR CONE RD
BALTIMORE MD 21205

10/8/92
LH:ADP

12a

DECLARATION OF

AGREEMENT AND DECLARATION OF COVENANTS

THIS AGREEMENT AND DECLARATION OF COVENANTS (hereinafter the "Agreement") is made this 5th day of November, 1993 by and between MELVIN N. KRAMER and DEBBIE G. KRAMER, his wife (hereinafter collectively referred to as the "Petitionors") and LEON GORDIS and HADASSAH GORDIS, his wife (hereinafter collectively referred to as the "Respondents").

RECITALS:

WHEREAS, the Petitioners own the real property known as 2406 Sugarcone Road, located in the 3rd Election and 2nd Councilmanic Districts of Baltimore County; and

WHEREAS, the Respondents own the real property known as 2408 Sugarcone Road, which property adjoins that of Petitioners; and

WHEREAS, the Petitioners filed a petition for an administrative residential variance (the "Petition") from the Baltimore County Zoning Regulations ("BCZR") to reduce the required setback for a residential structure on Petitioner's property to a total of Five feet in lieu of the required Fifteen feet from the common property line between Petitioner's and Respondent's properties (the "common property line"); and

WHEREAS, Respondents filed with the Zoning Commissioner for Baltimore County a request that a public hearing be held on Petitioner's variance request; and

WHEREAS, in Case No. 93-115-A, the Deputy Zoning Commissioner for

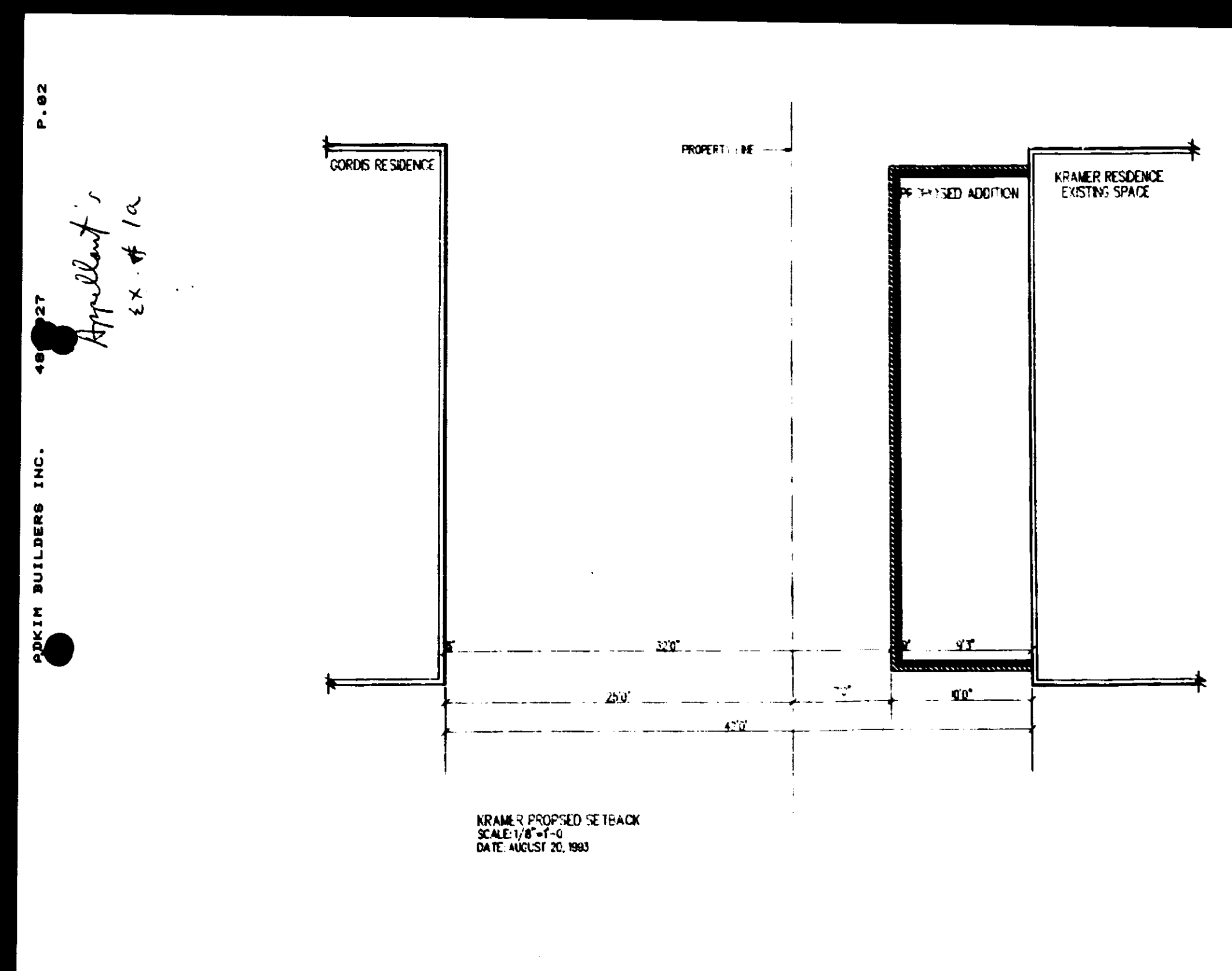
MICROFILMED

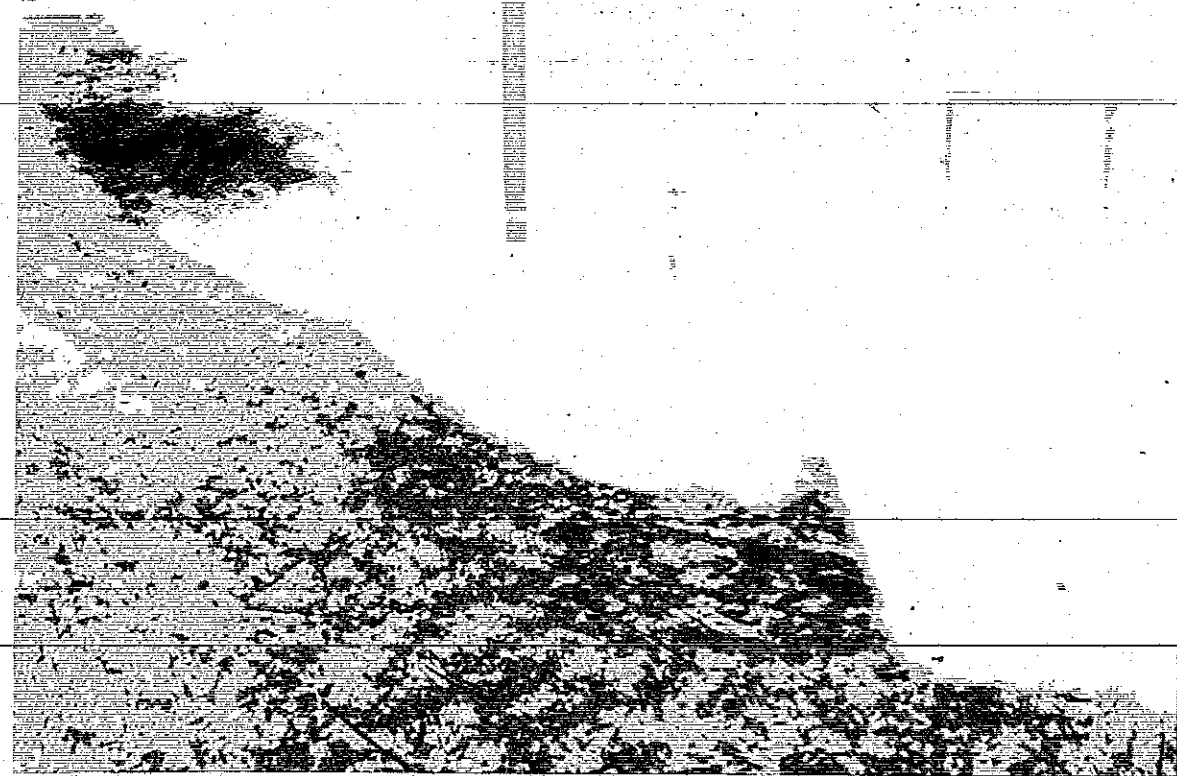
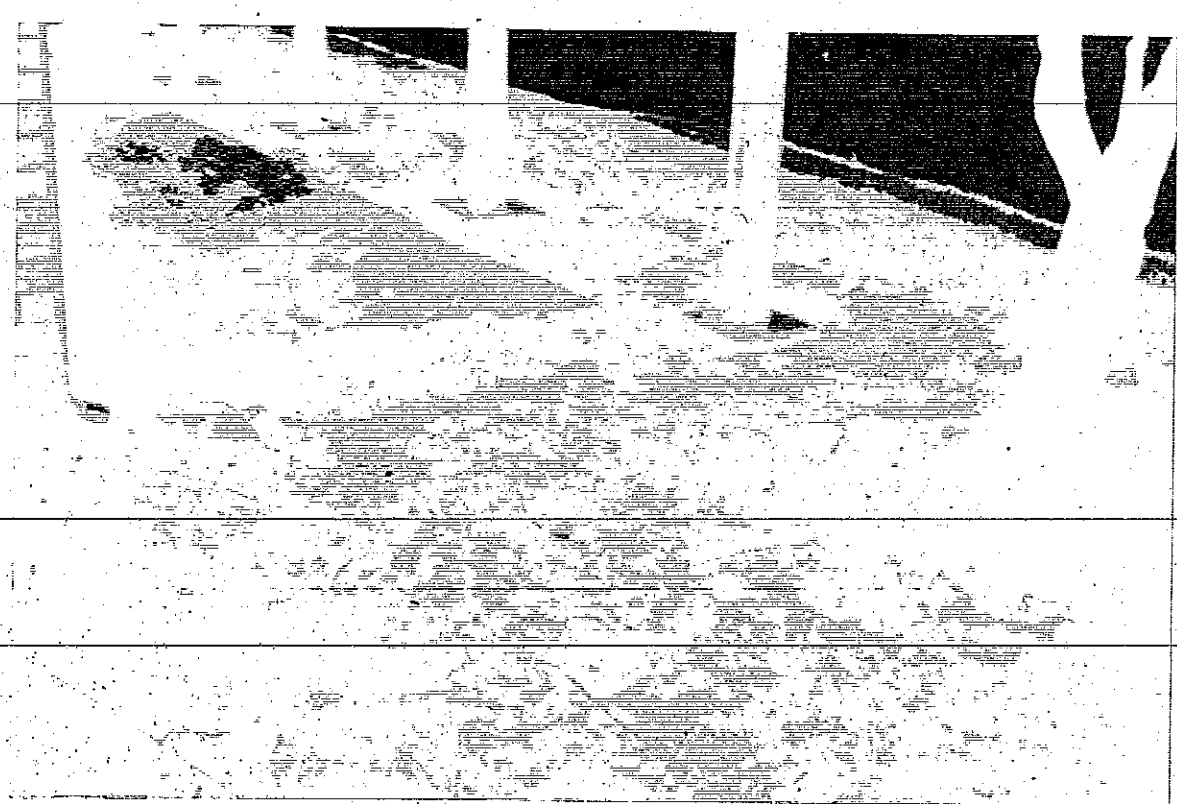
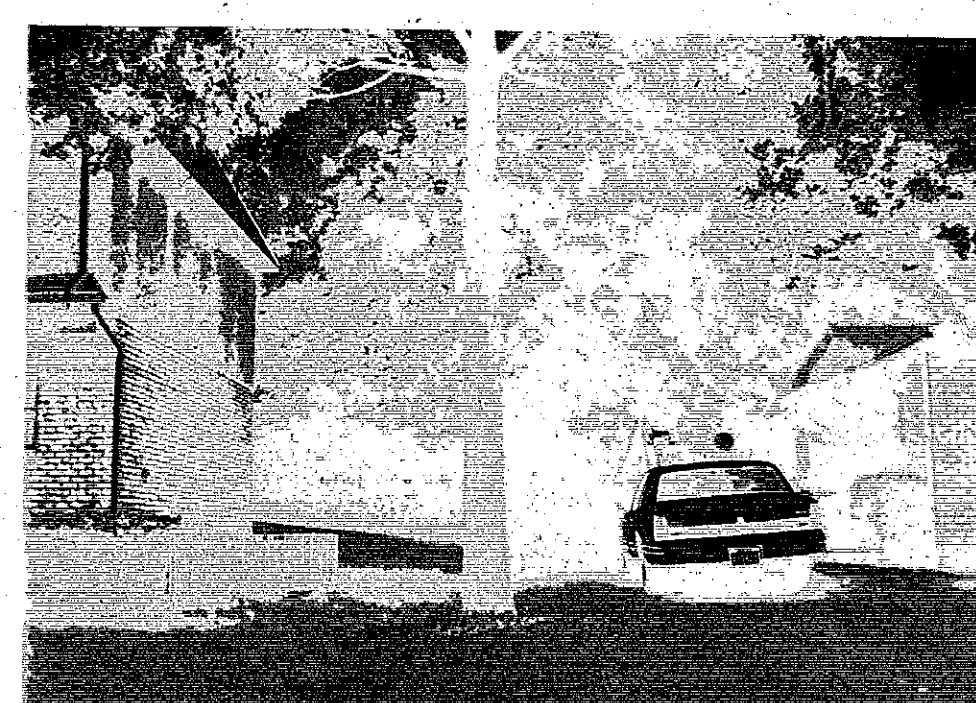
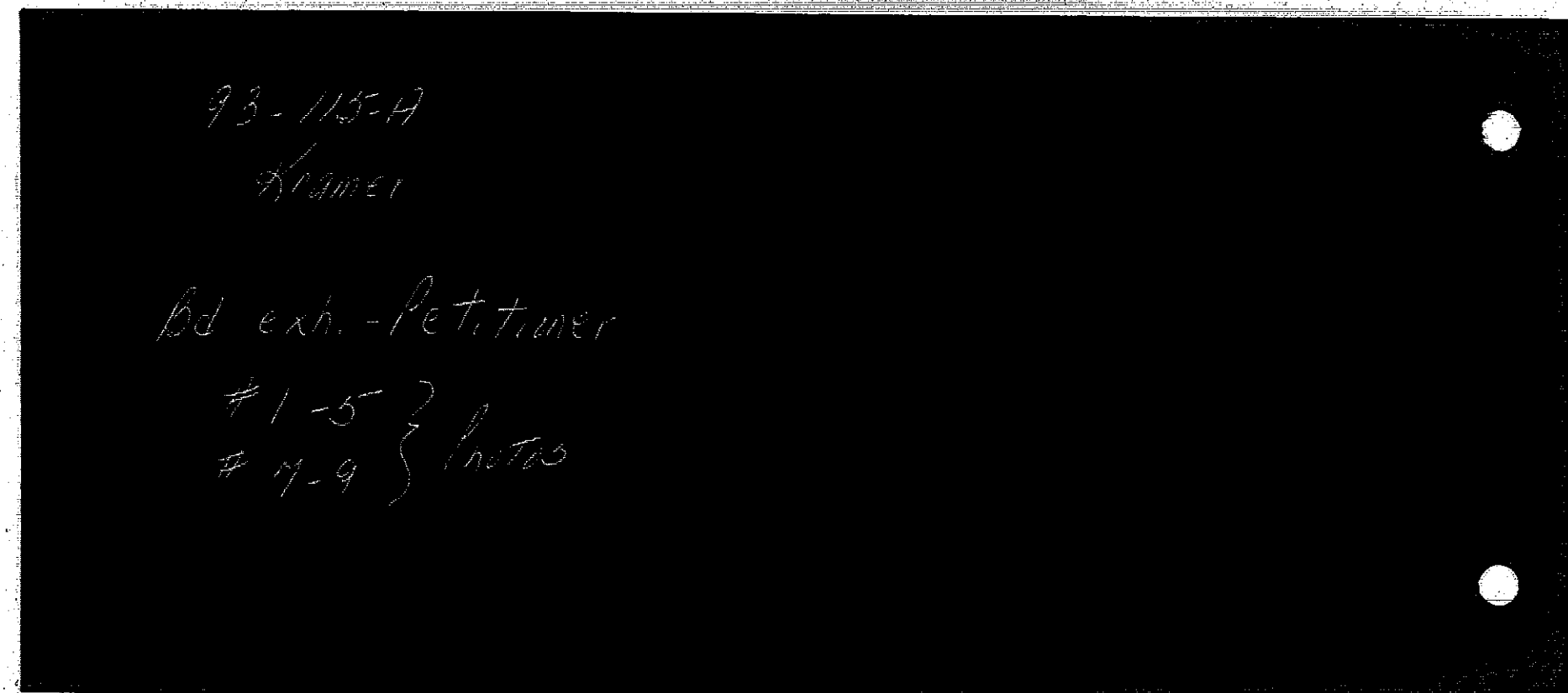
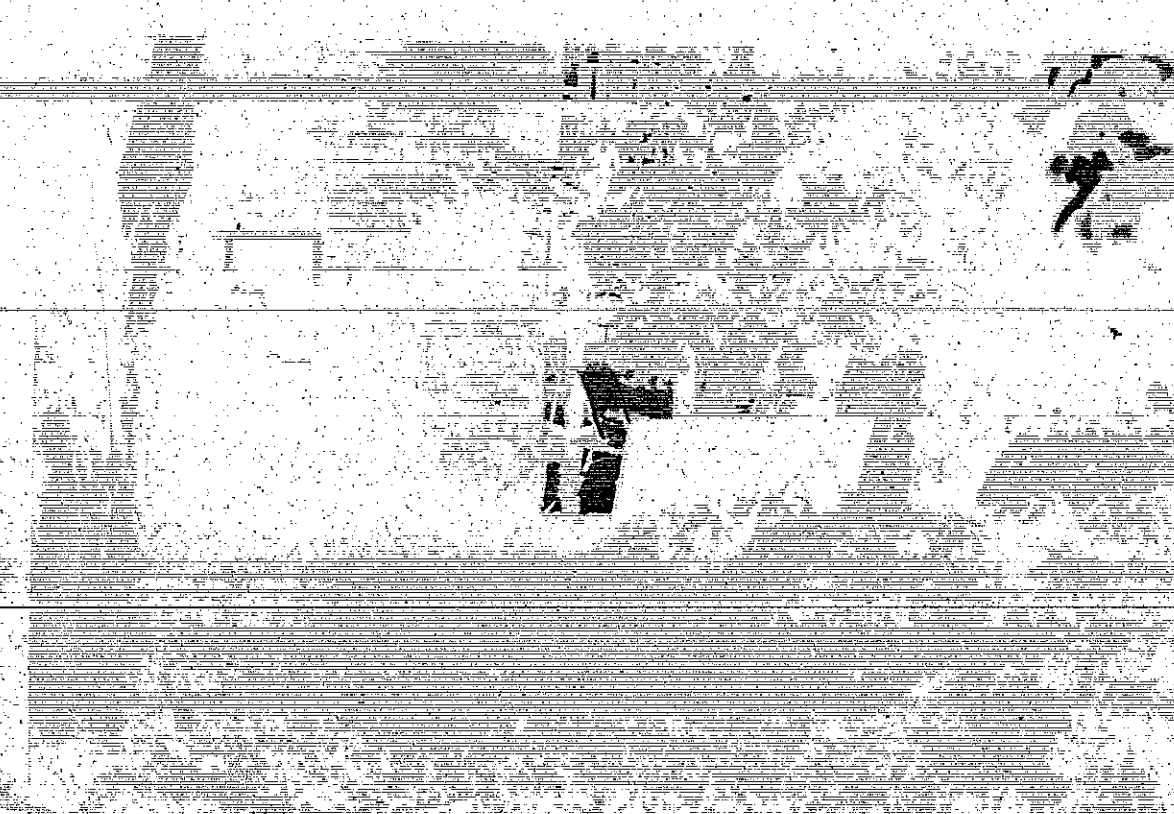
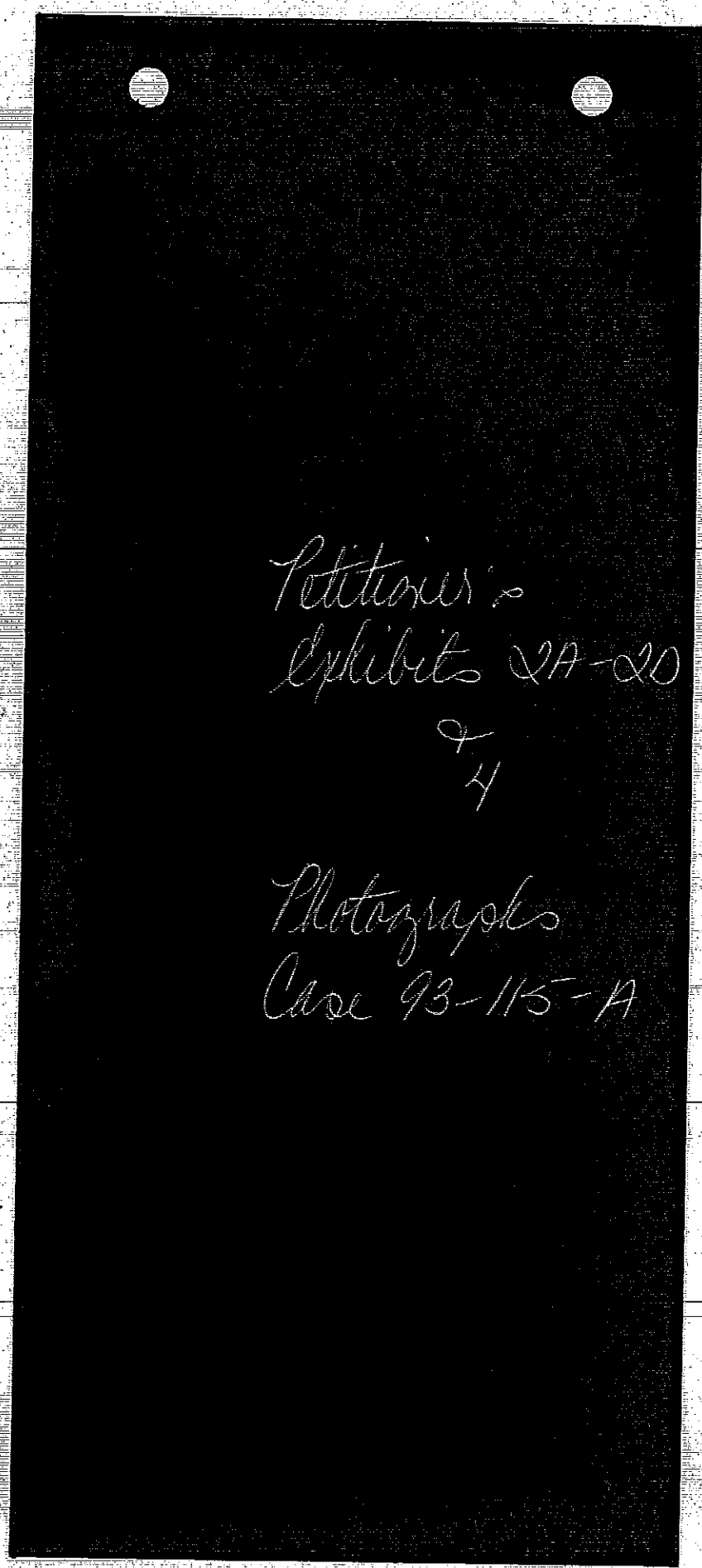
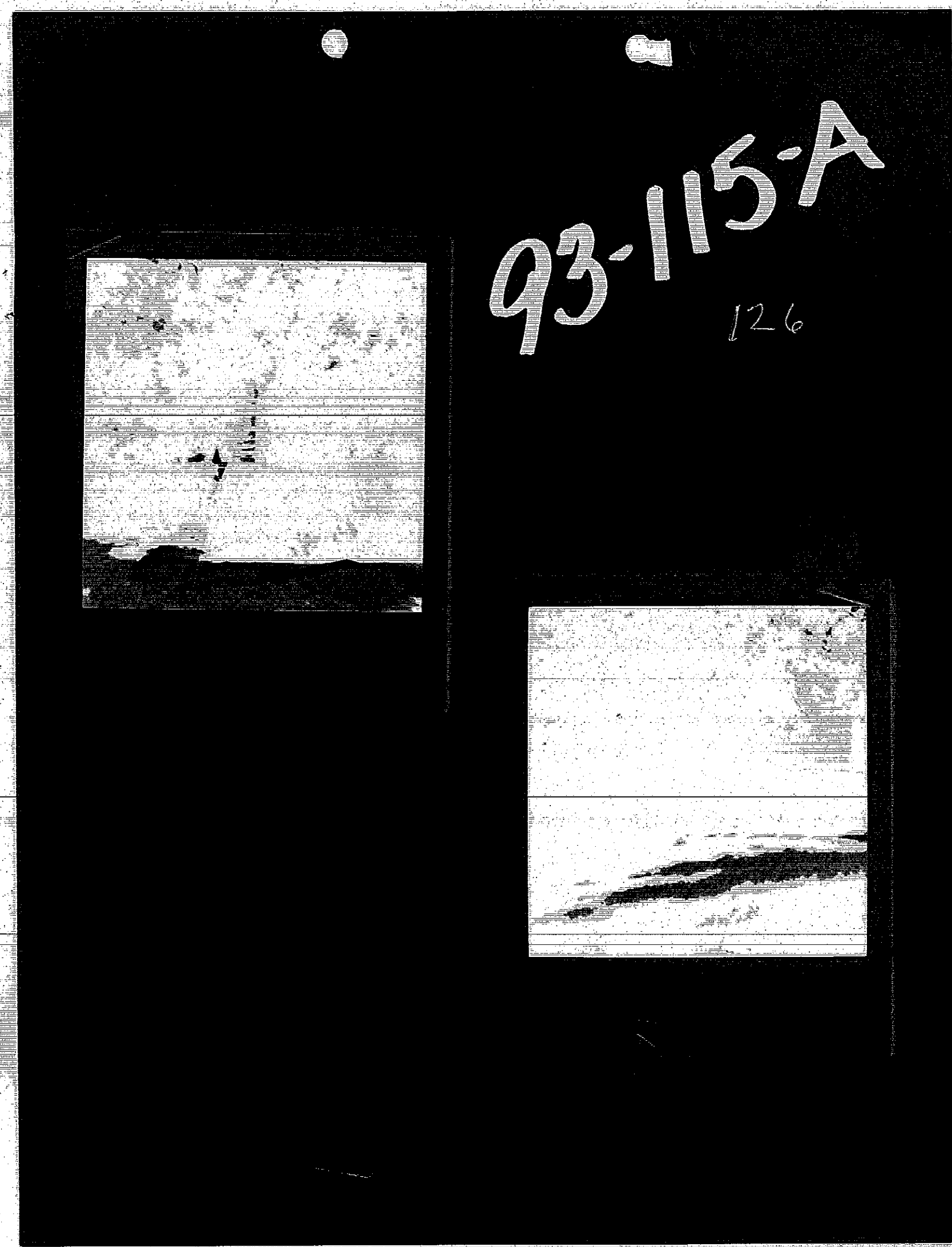
[illegible]

PETITION OF: MELVIN N. KRAMER, ET UX
CIVIL ACTION # 93-CV-06848 /58/130
IN THE MATTER OF MELVIN N. KRAMER, ET UX

RECEIVED FROM THE COUNTY BOARD OF
APPEALS EXHIBITS, BOARD'S RECORD
EXTRACT & ~~TRANSCRIPT~~ FILED IN THE
ABOVE-ENTITLED CASE, AND ZONING
COMMISSIONER'S FILE AND EXHIBITS
*No Transcript filed in the C. B. of A.

Don Hall
Clerk's Office
Date: 9/22/83







BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±

LOCATION

SHEET

DATE
OF
PHOTOGRAPHY
JANUARY
1986

PIKESVILLE
AREA

93-115-A

N.W.
8-D MICROFILMED

126

IN THE MATTER OF
THE APPLICATION OF
MELVIN N. KRAMER ET UX
2406 SUGARCONE ROAD
462' WEST OF C/L OF GREENSPRING
AVENUE (2406 SUGARCONE ROAD)
3RD ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

ORDER

AFTER DUE CONSIDERATION OF THE JOINT REQUEST TO REMAND TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY FILED BY MELVIN N. KRAMER ET UX, 2406 SUGARCONE ROAD, 462' WEST OF C/L OF GREENSPRING AVENUE (2406 SUGARCONE ROAD), 3RD ELECTION DISTRICT, 2ND COUNCILMANIC DISTRICT, IT IS HEREBY ORDERED THAT:

CASE #58/130/83CU6848 IS HEREBY REMANDED TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY FOR FURTHER CONSIDERATION IN LIGHT OF THE AGREEMENT BY THE PARTIES.

JUDGE

True Copy Test
SUZANNE MENSCH, Clerk

Per

Assistant Clerk

FILED NOV 5 1993

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY

PETITION OF MELVIN N. KRAMER, ET UX
2406 Sugarcone Road
Baltimore, MD 21209

FOR JUDICIAL REVIEW OF THE DECISION OF
THE COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
Room 49, Courthouse, 400 Washington
Towson, MD 21204

IN THE CASE OF: IN THE MATTER OF
MELVIN N. KRAMER, ET UX
For a Variance on property located on
the North Side of Sugarcone Road, 462'
West of C/L of Greenspring Avenue
(2406 Sugarcone Road)
3rd Election District
2nd Councilmanic District

Case No. 93-115-A

PROCEEDINGS BEFORE THE ZONING COMMISSIONER AND THE
BOARD OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come Judson H. Lipowitz, John G. Disney and S. Diane Levero, constituting the County Board of Appeals of Baltimore County, and in answer to the Petition for Judicial Review directed against them in this case, herewith return the record of proceedings had in the above-entitled matter, consisting of the following certified copies or original papers on file in the Office of the Zoning Commissioner and the Board of Appeals of Baltimore County:

No. 93-115-A

October 9, 1992 Petition for Variance to allow a side yard setback of 5 ft. in lieu of the required 15 ft. (need to expand bedroom and closet areas as our children are growing up. We need additional space. A rear addition is not possible due to existing pool.

RECEIVED AND FILED
93 SEP 28 PM 3:45
CLERK OF THE CIRCUIT COURT
BALTIMORE COUNTY

No. 91-246-SPHA, Melvin N. Kramer, et ux
Case No. 58/130/93-CV-06848

October 26 Comments of Baltimore County Zoning Plans Advisory Committee.
November 12 Publication in newspapers.
November 20 Certificate of Posting of property.
December 7 Hearing held on Petition by the Deputy Zoning Commissioner.
December 17 Order of the Deputy Zoning Commissioner DENYING Petition for Zoning Variance for west side yard setback; GRANTING Petition for Zoning Variance for east side yard setback.
January 14, 1993 Notice of Appeal received from Norman Seff, President of ADKIM Builders, Inc. on behalf of the Petitioners.
June 1 Hearing before the Board of Appeals.
July 1 Opinion and Order of the Board DENYING Petition for Variance for west side yard setback; GRANTING Petition for Zoning Variance for east side yard setback.
July 30 Order for Appeal filed in the Circuit Court for Baltimore County by Melvin N. Kramer, Plaintiff.
August 4 Petition to accompany appeal filed in the Circuit Court for Baltimore County by Mr. Kramer.
August 5 Certificate of Notice sent to interested parties.
* Transcript of testimony filed.
* No transcript provided to Board. Motion for Extension of Time to File Record filed in the Circuit Court on September 27, 1993. (Copy attached).

Petitioner's Exhibit No. 1 -Photo -2404-2406 Sugarcone Rd
2 -Photo -2407-2409 Sugarcone Rd
3 -Photo -2405-2407 Sugarcone Rd
4 -Photo -2406-2408 Sugarcone Rd
5 -Photo -side of 2408 Sugarcone Rd
6 -Entire File
7 -Photo -rear of Gordis Property
8 -Photo -side of Gordis Property

No. 91-246-SPHA, Melvin N. Kramer, et ux
Case No. 58/130/93-CV-06848

9 -Photo -Slope-side Gordis Property
10 -Artist's rendering of Kramer Property with addition on left
Protestant's Exhibit No. 1 -Copy of page from Yellow Pages showing Environmental Health and EPI Health Associates

September 28, 1993* Record of Proceedings filed in the Circuit Court for Baltimore County. *does not include transcript; not provided to Board.

Record of Proceedings pursuant to which said Order was entered and upon which said Board acted are hereby forwarded to the Court, together with exhibits entered into evidence before the Board.

Respectfully submitted,

Charlotte E. Radcliffe
Charlotte E. Radcliffe, Legal Secretary,
County Board of Appeals, Room 49,
Old Courthouse, Basement
400 Washington Avenue
Towson, Maryland 21204 (410) 887-3180

cc: Dr. & Mrs. Melvin N. Kramer
Norman Seff - ADKIM Builders, Inc.
Howard L. Alderman, Jr. Esquire
Dr. & Mrs. Leon Gordis

IN THE MATTER OF
THE APPLICATION OF
MELVIN N. KRAMER ET UX
2406 SUGARCONE ROAD
462' WEST OF C/L OF GREENSPRING
AVENUE (2406 SUGARCONE ROAD)
3RD ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

MOTION FOR EXTENSION OF TIME TO FILE RECORD

Appellant, Melvin N. Kramer, hereby moves that the Circuit Court for Baltimore County grant a 60-day delay to file the transcript from the County Board of Appeals of Baltimore County. The grounds for granting this extension are as follows:

(1) Appellants and their neighbors objecting to the original Application are nearing completion of serious discussion to lead to the withdrawal of their objection and filing of a joint request that this matter be remanded back to the County Board of Appeals of Baltimore County from the Circuit Court for Baltimore County for final review and approval of our compromise agreement;

(2) I have spoken this date to the neighbors' counsel, Howard L. Alderman, Jr., Esquire, and he has no objection to the granting of this Motion;

(3) Mr. Alderman is waiting to hear from his clients as to the final point under discussion in order to resolve the issues between the parties; and

(4) Therefore, with the granting of this requested extension all matters can be either resolved and a Motion to Remand back to the County Board of Appeals of Baltimore County be requested by both parties; or the court reporter can be given the necessary time to transcribe the transcript of the County Board of Appeals of Baltimore County hearing of June 1, 1993, for appropriate filing with the honorable Court.

It is our understanding that the County Board of Appeals of Baltimore County will file the record this date without the transcript for the aforementioned reason.

Melvin N. Kramer

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this day of September 1993, a copy of the foregoing MOTION FOR EXTENSION OF TIME TO FILE RECORD was hand delivered to the County Board of Appeals, of Baltimore County, Old Courthouse, Room 49, 400 Washington Avenue, Towson, Maryland 21204, and mailed, first class mail, postage prepaid, to Dr. and Mrs. Leon Gordis, Protestants, 2408 Sugarcone Road, Baltimore, MD 21209, and to Howard L. Alderman, Jr., Esq., Counsel for Dr. and Mrs. Leon Gordis, Protestants, 305 W. Chesapeake Avenue, Towson, MD 21204.

Melvin N. Kramer
2406 Sugarcone Road
Baltimore, MD 21209
(410) 484-9135

Appellant

IN THE MATTER OF
THE APPLICATION OF
MELVIN N. KRAMER ET UX
2406 SUGARCONE ROAD
462' WEST OF C/L OF GREENSPRING
AVENUE (2406 SUGARCONE ROAD)
3RD ELECTION DISTRICT
2ND COUNCILMANIC DISTRICT

CIRCUIT COURT
FOR
BALTIMORE COUNTY 58/130/93CU6848

ORDER

AFTER DUE CONSIDERATION OF THE MOTION FOR EXTENSION OF TIME TO FILE RECORD FILED BY MELVIN N. KRAMER ET UX, 2406 SUGARCONE ROAD, 462' WEST OF C/L OF GREENSPRING AVENUE (2406 SUGARCONE ROAD), 3RD ELECTION DISTRICT, 2ND COUNCILMANIC DISTRICT, IT IS HEREBY ORDERED THIS DAY OF SEPTEMBER, 1993, THAT THE CIRCUIT COURT FOR BALTIMORE COUNTY WILL GRANT A 60-DAY EXTENSION TO FILE THE TRANSCRIPT OF THE JUNE 1, 1993, HEARING BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY.

JUDGE

IN THE MATTER OF THE APPLICATION * IN THE
OF MELVIN N. KRAMER ET UX * CIRCUIT COURT
FOR A VARIANCE ON PROPERTY *
LOCATED ON THE NORTH SIDE OF *
SUGARCONE ROAD, 462' WEST OF *
C/L OF GREENSPRING AVENUE *
(2406 SUGARCONE ROAD) *
3RD ELECTION DISTRICT *
2ND COUNCILMANIC DISTRICT *
BALTIMORE COUNTY

MELVIN N. KRAMER - PLAINTIFF * CG Doc. No. 58
Folio No. 130
ZONING CASE NO. 93-115-A * File No. 93-CV-6848

CERTIFICATE OF NOTICE

Madam Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, Judson H. Lipowitz, John G. Disney and S. Diane Levero, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, Dr. Melvin N. Kramer, 2406 Sugarcone Road, Baltimore, Maryland 21209, Plaintiff, Norman Seff - ADKIM Builders, Inc., 1221 Greenwood Road, Baltimore, Maryland 21208, Howard L. Alderman, Jr., Esquire LEVIN AND GANN, 305 W. Chesapeake Avenue, Towson, Maryland 21204, Attorney for Protestants, Dr. & Mrs. Leon Gordis, 2408 Sugarcone Road, Baltimore, Maryland 21208, Protestants, Michael B. Sauer, Esquire, c/o County Board of Appeals, Room 49, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204, a copy of which Notice is attached hereto and prayed that it may be made a part hereof.

Charlotte E. Radcliffe
Charlotte E. Radcliffe, Legal Secretary,
County Board of Appeals, Room 49, Old
Courthouse, 400 Washington Avenue,
Towson, Maryland 21204 (410) 887-3180

MICROFILMED

FILED NOV 5 1993